



**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 24, 2007

4:00 PM

*Metro Southeast at Genesco Park
1417 Murfreesboro Road*

PLANNING COMMISSION:

Phil Ponder, Vice Chairman
Stewart Clifton
Judy Cummings
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
Craig Owensby, Communications Officer
Brenda Bernards, Planner III
Nedra Jones, Planner II
Brian Sexton, Planner I

Commission Members Absent:

Tonya Jones

I. CALL TO ORDER

The meeting was called to order at 4:00 p.m.

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

II. ADOPTION OF AGENDA

Ms. Hammond announced that Item #33, "Report of the Commission's Nominating Committee" should be added to the agenda.

Mr. McLean moved and Ms. Nielson seconded the motion which passed unanimously, to adopt the Agenda as presented. (8-0)

III. APPROVAL OF MAY 10, 2007, MINUTES

Mr. McLean moved and Ms. Nielson seconded the motion which passed unanimously, to approve the may 10, 2007 minutes as presented. (8-0)

IV. RECOGNITION OF COUNCILMEMBERS

6/28/2007 3:10:24 PM

Councilmember Gilmore spoke in favor of Item #18, 2007Z-097U-03 and Item #19, 68-87-P-03, Northside Station which were on the Consent Agenda for approval with conditions. She spoke of the overwhelming support of the community on this development. She also spoke in favor of Item #27, 27-87-P-03, Creekside Trails which was also on the Consent Agenda for approval with conditions.

Councilmember Toler spoke in favor of Item #8, #2007SP-012G-12, Sugar Valley Place which was on the Consent Agenda for approval with conditions. He acknowledged that Item #20, 2007Z-101G-12 was on the list for an indefinite deferral. He briefly explained the issues associated with the proposal and stated that many of the community members agreed with the staff's recommendation to disapprove. He then acknowledged that item #28, 2005UD-003G-12, Carothers Crossing, Final Site Plan was deferred until June 14, 2007.

Councilmember Shulman spoke in favor of Item #13, 2007Z-093U-10 and Item #14, 2007Z-094U-10. He briefly explained the neighborhood support for both of these proposals. He stated that he would address those wishing to "opt out" of these bills at the Council level.

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

- | | | | |
|-----|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| 5. | 74-79-G-13 | Nashboro Village (PUD Cancellation) -- 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 June 14, 2007 at the request of the applicant |
| 6. | 23-85-P-13 | Forest View Park (PUD Cancellation) - 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 | -- deferred to June 14, 2007 at the request of the applicant |
| 11. | 2007SP-084U-05 | 10th and Russell Street - Request to change from OR20 to SP zoning property located at 205 South 10th Street, southeast corner of Russell Street and South 10th Street and within the Lockeland Springs-East End Neighborhood Conservation Overlay district, to permit a total of 53,851 square feet containing 3 retail units and 39 residential units | -- deferred to June 26, 2007 at the request of the applicant |
| 20. | 2007Z-101G-12 | A request to change from AR2a to RS10 zoning property located at 312 Battle Road, approximately 930 feet south of Old Hickory Boulevard (6.34 acres) | -- deferred indefinitely at the request of the applicant |
| 28. | 2005UD-003G-12 | Carothers Crossing -- A request to revise the final site plan of the approved Urban Design Overlay district at 7287 Carothers Road, to permit a revision to the approved site plan to allow for the 2,600 square foot temporary sales center, and equipment building and a 27 vehicle parking lot | -- deferred to June 14, 2007 at the request of the applicant |

Ms. Nielson moved and Ms. Beehan seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items. **(8-0)**

VI. PUBLIC HEARING: CONSENT AGENDA

COMMUNITY PLANS

1. 2007CP-04-14 Request to amend the Donelson-Hermitage-Old Hickory Community Plan: 2004 Change a portion of the detailed land use policy from Mixed Housing in Community Center policy (MH in CC) to Mixed Use in Community Center (MU in CC) for approximately 16 acres located in the Old Hickory Detailed Neighborhood Design Plan at the southeast corner Industrial Drive and Robinson Road. - Approve.

2. 2007CP-05-08 Request to change the 'Detailed Land Use Plan' Element in the "MetroCenter/North Rhodes Park" Detailed Neighborhood Design Plan [Appendix E-14 of the North Nashville Community Plan] as follows: from Commercial (Com) and Parks Reserves and Other Open Space (PR) to Mixed Use (MxU) for parcel 239 on Map 081-04. - Approve.

PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

3. 2007SP-074G-14 The Corner of Old Hickory - Request to change from OR20 to SP zoning property located at Robinson Road (unnumbered), at the southeast corner of Robinson Road and Industrial Drive, to permit the development of 71,750 square feet of office/retail space and 165 multi-family units. - Approve w/conditions

ZONING MAP AMENDMENTS

7. 2006SP-161U-09 A request to amend the Crown SP to modify the number of required parking spaces from 1,189 spaces to that required by the CF zoning district, zoned SP and within the Rutledge Hill Redevelopment District (1.58 acres) - Approve w/conditions

8. 2007SP-012G-12 Sugar Valley Place (Final) - Request for final SP approval to construct 40 townhomes on property located at Nolensville Pike (unnumbered), between Sunnywood Drive and Culbertson Road. - Approve w/conditions

9. 2007Z-077U-08 Request to change from CS to RM15 zoning property located on Athens Way approximately 510 feet south of Metrocenter Boulevard (5.62 acres), requested by Apartment Development Services Ltd., applicant, for American Realty Trust Inc., owner. - Approve, subject to the approval of the associated Planned Unit Development and Community Plan Amendment.

10. 2007P-002U-08 Parc at Metrocenter II - Request for preliminary PUD approval for property located at Vantage Way Court (unnumbered), (2.71 acres), to permit a 64 unit multi-family complex in 4 buildings. - Approve w/conditions

13. 2007Z-093U-10 A request to rezone various properties from R10 to RS10 along Battlefield Drive, Clifton Lane, Woodmont Boulevard, Granny White Pike, Noelton Avenue, Lealand Lane, Snowden Road, Sutton Hill Road, Craig Avenue, Marengo Lane, McNairy Lane, Park Terrace, Spring Brook Drive, Pleasant Valley Road, Woodhaven Road, and Crestridge Drive (142.42 acres) - Approve

14. 2007Z-094U-10 A request to rezone from R10 to RS10 properties located at 1207, 1209, 1211, 1213, and 1215 Battlefield Drive; 1206 and 1208 Clifton Lane, west of Granny White Pike (2.18 acres) - Approve

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|-----|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 15. | 2007SP-095U-13 | A request to change the zoning from CS to SP on property located at 1306 Antioch Pike, approximately 600 feet south of Antioch Pike, to permit a limousine service use and all other uses permitted by the CS zoning district and for final SP approval of same (1.1 acres) | -Approve w/conditions |
| 16. | 2007Z-096G-14 | Request to change from SCR to CS zoning property located at 4125 Lebanon Pike, approximately 250 feet south of Tyler Road and located within a Planned Unit Development. | - Approve |
| 17. | 128-78-G-14 | Hermitage Business Center - Mini-Lube Cancellation - Request to cancel the Planned Unit Development District Overlay on property located at 4125 Lebanon Pike, approximately 250 feet south of Tyler Road, that was previously approved for 1,936 square feet of automobile convenience uses. | - Approve |
| 18. | 2007Z-097U-03 | Request to change from SCN to RM15 zoning property located at Clarksville Pike (unnumbered), north of W. Hamilton Avenue and located within a Planned Unit Development. | - Approve, subject to approval of NorthSide Station PUD. |
| 19. | 68-87-P-03 | Northside Station (PUD Amendment) - Request to amend the preliminary plan for a portion of the commercial Planned Unit Development located on at Clarksville Pike (unnumbered), north of W. Hamilton Avenue, to permit the development of 39 townhomes, 19 cottages, and 8 duplex units. | - Approve with conditions only if Fire Marshal issues have been resolved and the Fire Marshall's Office recommends approval. If the Fire Marshal's issues have not been resolved then staff recommends that the request be deferred. |
| 22. | 2007Z-109T | Parking Garage Liner Buildings - Request to amend Section 17.12.070 of the Metro Zoning Code relative to special floor area ratio (FAR) provisions, allowing the floor area of parking garage liner buildings fronting a public street or public space to be exempt from the calculation of floor area ratio. | - Approve |

FINAL PLATS

- | | | | |
|-----|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 23. | 2007S-093U-12 | Holt Property Final Plat Request for final plat approval to create 2 lots on property located at 4357 Goins Road, at the southwest corner of Goins Road and Taylor Road. | - Approve w/conditions |
| 24. | 2007S-108U-10 | Waverly Vault Subdivision - Request for final plat approval to create 4 lots on property located at 2308 and 2310 Vault Lane, at the northeast corner of Vault Lane and 9th Avenue South. | - Approve |
| 25. | 2007S-125G-14 | A request for final plat approval to create 3 lots on a portion of properties located at Cortez Court (unnumbered) and Old Lebanon Dirt Road (unnumbered), approximately 255 feet south of Panama Drive (8.01 acres), zoned CS | -Approve w/conditions |

REVISIONS AND FINAL SITE PLANS

- | | | | |
|-----|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 26. | 47-86-P-02 | Nashville Business Center (Cintas) - Request to revise the preliminary and for final approval of a Planned Unit Development located at 3400 Briley Park Boulevard N., to permit a secondary access point onto Briley Park Boulevard N. and to add 26 parking spaces. | - Approve w/conditions |
| 27. | 27-87-P-03 | Creekside Trails Phase 7 - Request to revised conditions of the final approval for Phase 7, of the Planned Unit Development located along the north side of Cato Road and the west side of Briley Parkway, to develop 64 single-family lots. | - Approve w/conditions |

OTHER BUSINESS

- 29. New employee contract for Robert Leeman and an amended employee contract for Jason Swaggart. - Approve
- 30. Contract between the Regional Transportation Authority (RTA) and the Nashville-Davidson County MPC, acting on the behalf of the Nashville Area MPO for Commuter Rail Planning Services. - Approve

Ms. Nielson moved and Ms. Cummings seconded the motion, which passed unanimously, to approve the Consent Agenda as presented. (7-0-1) Mr. McLean recused himself from voting on the Consent Agenda.

VII. COMMUNITY PLANS

- 1. **2007CP-04-14**
 Map 044-00, Parcel 026
 Subarea 14 (2004)
 Council District 11 - Feller Brown

A request to amend the Donelson-Hermitage-Old Hickory Community Plan: 2004 Change a portion of the detailed land use policy from Mixed Housing in Community Center policy (MH in CC) to Mixed Use in Community Center (MU in CC) for approximately 16 acres located in the Old Hickory Detailed Neighborhood Design Plan at the southeast corner Industrial Drive and Robinson Road.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST -Change a portion of the detailed land use policy from Mixed Housing in Community Center policy (MH in CC) to Mixed Use in Community Center (MU in CC) for approximately 16 acres located in the Old Hickory Detailed Neighborhood Design Plan at the southeast corner Industrial Drive and Robinson Road.

CURRENT STRUCTURE PLAN POLICIES

Mixed Housing (MH) -MH detailed land use policy 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 encouraged to be thoughtfully placed to create a sustainable mixture of housing. Generally, the character (mass, placement, height) should be compatible to the existing character of the majority of the street.

Community Center (CC)-This broader land use policy would not change. CC policy is the land use classification for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Generally, CC areas are intended to contain predominantly commercial and mixed-use development with offices and/or residential above ground level retail shops. Neighborhood and community oriented public and public benefit activities and residential uses are also appropriate in CC areas. Residential development in CC areas that is not above retail or offices is typically higher intensity townhomes and multifamily housing. CC areas are where the most pedestrian activity occurs.

PROPOSED DETAILED LAND USE POLICIES

Mixed Use (MxU) - MxU is a detailed land use policy that includes buildings that are mixed horizontally and vertically (a mixture of uses within one building). The latter is preferable in creating a more pedestrian-oriented streetscape. This land use policy 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 - Staff recommends approval of the proposed amendment.

The applicant has requested Mixed Use in Community Center (MxU in CC) policy, which is appropriate in this location in light of the following considerations:

- a. the location serves as a gateway to the neighborhoods and to DuPont ;
- b. the requested change is minor and still allows residential uses on the property;
- c. finally, the applicant’s property, if developed as generally proposed, would serve as a walkable neighborhood center of mixed-use activity, which is envisioned for this community.

The applicant has requested a rezoning for these 16 acres, prompting the community plan amendment. The applicant has requested a rezoning to change from OR20 base zoning district to SP (Specific Plan).

Since this is a minor plan amendment, no community meeting was held. The Planning Department's understanding is that Councilmember Brown will be holding a community meeting to discuss this rezoning proposal in the coming weeks.

This amendment does not require any changes to the overall Structure Plan. If this amendment is approved, the Old Hickory Village West Detailed Neighborhood Design Plan Map will be changed to reflect the policy change. No accompanying wording or language changes are needed.

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-176

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-04-14 is **APPROVED. (7-0-1)**”

2. **2007CP-05-08**
Map 081-04, Parcel 239
Subarea 8 (2002)
Council District 2 - Jamie D. Isabel, Sr.

A request to change the ‘Detailed Land Use Plan’ Element in the “MetroCenter/North Rhodes Park” Detailed Neighborhood Design Plan [Appendix E-14 of the North Nashville Community Plan] as follows:
from Commercial (Com) and Parks Reserves and Other Open Space (PR) to Mixed Use (MxU) for parcel 239 on Map 081-04.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - Change the ‘Detailed Land Use Plan’ Element in the “MetroCenter/North Rhodes Park” Detailed Neighborhood Design Plan [Appendix E-14 of the North Nashville Community Plan] as follows:

- from Commercial (Com) and Parks Reserves and Other Open Space (PR) to Mixed Use (MxU) for parcel 239 on Map 081-04 (See Figure 1).

This proposal was reviewed as a “minor plan amendment,” which requires notification of property owners within 500 ft of the subject site. Since the associated zone changes required notification to a distance of 600 ft., that distance was also used for the notice mailed out for this plan amendment request.

EXISTING LAND USE POLICY

Corridor Center (CC) -This Structure Plan policy will not be changed by the plan amendment. A mixture of residential, commercial, and office development, the location of which is guided by a detailed design plan, is intended in CC areas, along with appropriate civic and public benefit uses. *CC policy applies to the eastern tip of the subject site.*

Neighborhood Urban (NU) -This Structure Plan policy will not be changed by the plan amendment. A mixture of uses ranging from residential to light industrial guided by a detailed land use plan is intended in NU policy. *NU policy applies to most of the site and the area to the west.*

Commercial (Com) -Detailed Plan policy. Com policy supports a mixture of commercial, office, and appropriate civic and public benefit uses. Residential uses are not intended in Com policy areas. The subject site is envisioned to develop with commercial uses as an extension of that type of development to the east and north along MetroCenter Blvd. The Com policy to the southeast of the subject site contains the Maxwell House Hotel.

Parks Reserves and Other Open Space (PR) -Detailed Plan policy. PR supports active and passive recreational uses and development ancillary to those uses. Residential development is not intended in PR policy areas. The PR policy, which involves about one-fourth of the subject site, was applied in anticipation of the existing quarry/water areas remaining open and undeveloped.

PROPOSED LAND USE POLICY

Mixed Use (MxU) -Detailed Plan policy. MxU policy supports an integrated mixture of residential uses and compatible nonresidential uses including offices, commercial uses serving the neighborhood and appropriate civic and public benefit uses. Uses may be mixed either in separate structures across a site or within individual buildings (“vertically” mixed).

ANALYSIS

Requested MxU Policy -MxU policy will add residential to the range of uses envisioned for the subject site. The MetroCenter/North Rhodes Park neighborhood is unusual in that it is much larger than a typical “walkable” neighborhood and existing policies that support residential development are very limited, applying to only about 5.5 percent of the neighborhood’s land area. This amendment would slightly increase the residential opportunity -- to 6.6 percent. Except for the MxU policy applicable to the Watkins Art Institute, which is north of MetroCenter Blvd., all of the current residential opportunity is concentrated in the small portion of the neighborhood that is on the south/west side of MetroCenter Blvd. in the vicinity of Athens Way. Existing detailed plan policy on the west side of Athens Way opposite the subject site is partly MxU and partly Mixed Housing (MH) detailed land use policy.

Locationally, the site is well situated for mixed development including residential. It is behind retail and other commercial services to the east and north that are along and oriented toward MetroCenter Blvd. The site is convenient to the larger MetroCenter area and provides opportunities for more housing in close proximity to this major employment concentration. In addition, it is an extension of the developing residential area on the west side of Athens Way opposite the subject site.

The site has good transit service. It is directly served by the St. Cecilia/Cumberland (Route # 42) which passes in front of the site on Athens Way. In addition, the site is only 600-800 ft. from the MetroCenter (Route # 9) line to the east.

Since the site is in a planned “walkable neighborhood,” connected streets and pedestrian friendliness are important. While vehicular connectivity to the east is impractical in this case, ideally, any residential or mixed development on the site should include sidewalks that link the site to the abutting commercial area to the east.

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-177

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-05-08 is **APPROVED. (7-0-1)**”

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

- 3. **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.

APPLICANT REQUEST - A request to change approximately 15.99 acres located at Robinson Road (unnumbered), at the southeast corner of Robinson Road and Industrial Drive from Office/Residential (OR20) to Specific Plan (SP) zoning, to permit the development of 71,750 square feet of office/retail space and 165 multi-family units.

Existing Zoning

OR20 District - Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling

units per acre.

Proposed Zoning

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

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

**DONELSON/HERMITAGE COMMUNITY PLAN
EXISTING POLICIES**

Structure Plan

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

Detailed Plan

Mixed Housing (MH) - MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

PROPOSED POLICIES - Applicant has requested that the detailed plan be changed from Mixed Housing to Mixed Use. The requested change is also on this agenda. The structure plan will not change.

Detailed Plan

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

Consistent with Policy? - Yes. The proposed Specific Plan is consistent with the proposed Mixed Use detailed land use policy. Furthermore, the plan implements the intent of the Mixed Use in Community Center policies by providing a variety of uses that will provide for daily conveniences for new residents and existing residents within the area, in a layout that is pedestrian friendly. If the Commission does not approve the change in the detailed policy from Mixed Housing to Mixed Use, the request will not be consistent with the policy because it calls for uses other than residential.

PLAN DETAILS

Land Use - The plan calls for a total of 71,750 square feet of office and retail uses and 165 multi-family units. As proposed, uses will be distributed across the total 15.99 acres as indicated in the table below:

Multi-Family	1.85 Ac
Office	1.17 Ac
Retail	1.26 Ac
Mixed-Use	4.06 Ac

Active Open Space	5.12 Ac
Parking/Roads/Open Space	2.53 Ac

The 4.06 acres of Mixed Use will consist of general office, medical office, bank, retail, restaurant, and residential uses. The overall residential density will be approximately 10 units per acre. Residential units will consist of 59 town homes, 30 multi-family units, and 76 multi-family loft apartments.

Layout - The development will be located at the southeast intersection of Robinson Road and Industrial Drive. As proposed, buildings will be placed on the property line along Robinson Road and Industrial Drive (zero setback). Two large mixed-use structures will wrap the southeast corner of the intersection of Robinson Road and Industrial Drive. Both structures will include a mixture of office, retail and residential uses which will be mixed vertically with the residential units being on the upper level. A total of 76 residential units will be located within the two mixed-use structures. Two other individual structures will be located along Robinson Road south of the larger mixed-use structures and will be used for a separate office and retail use.

All residential units not located in the two mixed-use structures will be located behind the mixed, office and retail uses with the exception of five town homes that will be along Industrial Drive just east of the large mixed-use structure. The remaining residential units will be separated into six individual areas consisting of five sections of town homes and one 30 unit multi-family structure.

Access and Parking - Automobile access to the development will be from three separate private drives with one drive off of Industrial Drive and two off of Robinson Road. Town homes will be accessed from private alleys. All parking will be located to the rear and side of the buildings located along both street frontages. A total of 433 parking spaces will be provided, which meets all applicable standards for the proposed uses. Adequate pedestrian access is also provided throughout the development allowing for efficient pedestrian movement within the development.

Open Space - Approximately 31% of the site (5 acres) will be in active open space which will provide for outdoor recreation opportunities. These spaces consist of small open greens which are distributed across the site and one large area. Recreational amenities shown on the plan include a walking trail.

Elevations - Elevations have not been submitted with this application. Prior to final approval, all elevations must be approved by Planning Department staff. Elevations will be required to show a strong connectivity to streets through the use of doors, windows and other design elements.

Environmental -Metro GIS identifies a stream on the site. As proposed the stream will be protected and placed within open space. The only proposed disturbance will be for the trail crossings and along Robinson Road where the stream will be piped. The plan indicates that a portion of the stream is currently piped extending to the west under Robinson Road.

Staff Recommendation - If the proposed associated plan amendment is approved for Mixed Use in Community Center, then staff recommends that the proposed SP be approved. As proposed, the SP is consistent with the Mixed Use in Community Center policy.

PUBLIC WORKS RECOMMENDATION

1. Public sidewalks to be located within right of way. Identify sidewalk crossing along Industrial Drive.
2. Consolidate driveway connections (single driveway connection - parking lot east of 30,750 SF office / retail building) onto private street off Robinson Road.
3. Alleys per ST-263.
4. Construct a northbound right turn lane on Robinson Road at the proposed north driveway with 75 ft of storage and transitions per AASHTO/MUTCD standards.
5. Modify traffic signal at Robinson Road and Industrial Drive to include pedestrian pushbuttons, signals, and landings crossing Robinson Road and Industrial Drive.

Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	15.99	0.8	557,000	5,006	742	703

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	15.99	N/A	41,750	681	94	126

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	15.99	N/A	30,000	1,322	32	94

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

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-3,003	-616	-483

STORMWATER RECOMMENDATION - Approve with the following conditions:

1. An existing drainage pipe was observed. No buildings are allowed within easement widths.

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

METRO SCHOOL BOARD REPORT

Projected student generation 15 Elementary 9 Middle 7 High

Schools Over/Under Capacity - Students would attend Dupont Elementary School, Dupont-Hadley Middle School, and McGavock High School. According to the Metro School Board McGavock overcrowded but there is capacity within the adjacent cluster. This information is based upon data from the school board last updated April 2007.

CONDITIONS

1. All elevations must be approved by the Planning Department staff prior to approval of the final site plan for this development. Elevations will be required to show a strong connectivity to streets through the use of primary pedestrian doors, windows and other design elements. It is recommended that the applicant submit elevations as soon as possible.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
3. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of 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. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions, (7-0-1) *Consent Agenda*

Resolution No. RS2007-178

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-074G-14 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. All elevations must be approved by the Planning Department staff prior to approval of the final site plan for this development. Elevations will be required to show a strong connectivity to streets through the use of primary pedestrian doors, windows and other design elements. It is recommended that the applicant submit elevations as soon as possible.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
3. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of 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. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate

water supply for fire protection must be met prior to the issuance of any building permits.

7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

The proposed SP plan is consistent with the Donelson/Hermitage Community Plan's Mixed Use in Community Center policy, which is intended for a mixture of commercial, retail, office, and residential which is organized and designed in a way that is pedestrian friendly, creating a local town center."

FINAL PLATS

4. **2007S-048U-13**
Ridgeview Final Plat
Map 163-00, Part of Parcel 122
Subarea 13 (2003)
Council District 33 - Robert Duvall

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

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Final Plat

A request for final plat approval to create 1 lot on a portion of property located at Bell Road (unnumbered), approximately 515 feet north of Bell Forge Lane (5.2 acres), zoned Mixed Use Limited (MUL) and located within the Ridgeview Urban Design Overlay.

ZONING

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

UDO District - An Urban Design Overlay is a zoning tool that requires specific design standards for development in a designated area. A UDO is used to either protect the pre-existing character of the area or to create a character that would not otherwise be ensured by the development standards in the base-zoning district.

PLAT DETAILS -This request would allow the applicant to record a final plat for one lot for future development in order to transfer ownership of the lot. This property is located within an Urban Design Overlay, and the normal practice is that a project receives final site plan approval prior to the approval of a final plat. This is done so Planning staff can ensure that the plat is consistent with the overall design of the UDO property. A final site plan has not been submitted for this lot.

The subdivision process has three parts: concept plan, development plan, and then the final plat. A final UDO site plan is equivalent to the second step, the development plan, and includes construction plans and site specifics such as size and location of building, building elevations, location and number of parking spaces, driveway locations, and

landscaping. The applicant proposes skipping the “development plan” step because they submitted the roadway construction plans for the new internal road with the final site plan for Phase 1 (residential portion) of the UDO.

Staff Recommendation - Staff recommends approval of the request to record a final plat prior to approval of a site plan. The applicant will not be able to obtain a building permit until a final site plan conforming to the UDO is approved by the Planning Commission. The applicant is not being granted any development permissions with the recording of this plat.

PUBLIC WORKS RECOMMENDATION - Update TIS to provide further traffic analysis and make additional recommendations to mitigate the impact of traffic from this development.

STORMWATER RECOMMENDATION - Approved

CONDITIONS

1. Add a note to the face of the plat that states there will be no issuance of building permits prior to Planning Commission Approval of the Final UDO site plan.
2. Update TIS to provide further traffic analysis and make additional recommendations to mitigate the impact of traffic from this development prior to the approval of the final site plan.
3. The final plat for RIDGEVIEW FINAL PLAT, PH. 1 shall be bonded and recorded before this plat can be approved because it contains the portion of Musial Boulevard from which this lot gains access.

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

Mr. William Harding, 774 Bell Road, spoke in opposition on the proposed development. He submitted photos to the Commission for the record.

Mr. Kevin Estes, 516 Heather Place, spoke in favor of the proposed development. He stated that a temporary wall was put in place in an effort to address the concerns mentioned by Mr. Harding.

Mr. Clifton acknowledged the issue regarding the wall mentioned by Mr. Harding. He recognized that the request did not create any new development rights and the Commission may need to follow the staff’s recommendation.

Ms. Nielson acknowledged the efforts the contractor made with the constituent by constructing a temporary wall.

Mr. Loring requested clarification on whether the Commission could condition their recommendation in an effort to address the concern of the wall mentioned by the constituent.

Mr. Bernhardt explained that the wall was in conjunction of the roadway, which was part of another plat. He further explained that the department has been working with the Public Works Department on the issue of the wall.

Ms. Withers explained that Public Works is currently reviewing the construction of the wall to insure its stability. She stated that staff does not have control over the timing of the project.

Mr. Loring then requested clarification on whether the Commission could defer the request.

Mr. Kleinfelter offered that the Commission could defer the project one meeting and still meet the 30 day requirement.

Mr. Loring moved and Mr. Clifton seconded the motion, to defer Final Plat 2007S-048U-13 to June 14, 2007 to allow additional time to begin construction on the wall.

Ms. Nielson explained that the developer was waiting on the placement of utilities and that construction may not happen prior to the next meeting.

Mr. Clifton requested additional information regarding the request made by the applicant.

Mr. Bernhardt explained this information to the Commission.

The motion to defer failed.

Mr. McLean moved and Ms. Cummings seconded the motion, to approve with conditions Final Plat 2007S-048U-13. **(6-2) No Votes – Ponder, Loring**

Resolution No. RS2007-179

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-048U-13 is **APPROVED WITH CONDITIONS. (6-2)**

Conditions of Approval:

1. Add a note to the face of the plat that states there will be no issuance of building permits prior to Planning Commission Approval of the Final UDO site plan.
2. Update TIS to provide further traffic analysis and make additional recommendations to mitigate the impact of traffic from this development prior to the approval of the final site plan.
3. The final plat for RIDGEVIEW FINAL PLAT, PH. 1 shall be bonded and recorded before this plat can be approved because it contains the portion of Musial Boulevard from which this lot gains access.”

REVISIONS AND FINAL DEVELOPMENT PLANS

- 5. 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 Cancellation of Planned Unit Development 74-79-G-13 to June 14, 2007, at the request of the applicant. (8-0)

- 6. 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 Cancellation of Planned Unit Development 23-85-P-13 to June 14, 2007, at the request of the applicant. (8-0)

IV. PUBLIC HEARING: ZONING MAP AMENDMENTS

7. 2006SP-161U-09

The Crown (Amend. #1)

Map 093-064, Parcels 063, 064, 065, 066, 067, 068, 069, 070, 071, 072, 073, 074, 075

Subarea 9 (2007)

Council District 6 - Mike Jameson

A request to amend the Crown SP to modify the number of required parking spaces from 1,189 spaces to that required by the CF zoning district, zoned SP and within the Rutledge Hill Redevelopment District (1.58 acres), requested by B S Nashville LLC, applicant, for The Carrell Family LLC, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Amend SP

A request to amend the Crown SP to modify the number of required parking spaces from 1,189 spaces to that required by the Core Frame (CF) zoning district, zoned Specific Plan (SP) and within the Rutledge Hill Redevelopment District (1.58 acres).

Existing 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.

DOWNTOWN COMMUNITY PLAN

SoBro Neighborhood, Mixed Use Subdistrict

Mixed Use (MU) Policy - The proposed Crown building is within the SoBro neighborhood, in the Mixed Use subdistrict. The MU policy for the subdistrict is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses in MU 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.

The MU policy calls for development proposals in the policy area to include an Urban Design or Planned Unit Development overlay district or other specific site plan. This ensures appropriate design and that the type of development conforms to the intent of the policy.

The SoBro Neighborhood is intended to be a high-intensity, mixed-use neighborhood emphasizing cultural, entertainment, and residential components while accommodating office uses. Development in SoBro should create a comfortable and lively pedestrian environment for residents of, and visitors to, SoBro. Development in SoBro should create a distinctive, eclectic identity that allows tall buildings with some sheer walls along certain streets, as well as some “stepped back” buildings to create a variety of view sheds and allow for light and air circulation throughout the neighborhood.

Consistent with Policy? - Yes. The amendment does not change anything in the specific plan district other than the parking.

PLAN DETAILS

Site Plan - The amendment to the Crown SP changes the parking requirements from 1,189 spaces to that required by the Core Frame (CF) zoning district. The difference in parking will eliminate a portion of the underground parking. This amendment does not change the height, façade, uses, or square footage of the approved SP.

One of the Guiding Principles of the Downtown Plan is to "Create 'great spaces' throughout Downtown for the enjoyment of citizens and visitors alike." The first chapter summarizes one of the ways to meet the intent of that principle as follows:

[T]he Downtown Plan encourages walking as a primary mode of transportation in Downtown. Walking is encouraged in the Downtown Plan by making the walk safe, interesting, and comfortable by having wide sidewalks and, on key streets, requiring active uses on the first floors of buildings, lining parking garages with active uses, and limited entrances into parking structures to avoid pedestrian/auto conflicts. As Downtown becomes home to many of its workers, and mass transit options into Downtown improve, providing welcoming routes for pedestrians will provide benefits in terms of improved mobility and reduced traffic congestion.

This revision to the Crown SP reduces the number of parking spaces, which encourages walking as a primary mode of transportation. Creating a friendly pedestrian environment is a key factor in making Downtown a place to live and work.

Staff Recommendation -Staff recommends approval with conditions.

PUBLIC WORKS RECOMMENDATION- No Exceptions Taken

STORMWATER RECOMMENDATION -Provide the following:

- FEMA Note / Information
- North Arrow & Bearing Information
- Vicinity Map
- Proposed Site Layout (Scale no less than 1" = 100', Contours no greater than 5')
- Add 78-840 Note:
- (Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.)
- Add Preliminary Note:
- (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.)
- Add Access Note:
- (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
- Add C/D Note:
- (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)
- Existing Topo
- Water Quality Concept

Note: Compensated fill will be required within the floodplain.

CONDITIONS

1. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the amended plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or

included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the CF zoning districts at the effective date of this ordinance, which must be shown on the plan.

3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

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

Mr. Tom White, 36 Old Club Court, spoke in favor of the proposed amendment.

Mr. Greg Watson, 123 2nd Avenue South, spoke in opposition to the proposed amendment.

Mr. Bernhardt explained in detail the applicant's request to modify the number of parking spaces and the number required in Core Frame zoning districts in relation to the pedestrian use requirements placed on this proposal by the MDHA Design Review Committee.

Mr. Gary Everton, Everton Oglesby Architects, spoke in favor of the proposed amendment.

Ms. Beehan acknowledged the encouragement of pedestrian uses included in this proposal.

Mr. Loring mentioned the parking was adequate for this development.

Mr. Loring moved and Ms. Nielson seconded the motion, which passed unanimously, to approve and amend the Crown SP. **(8-0)**

Resolution No. RS2007-180

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-161U-09 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. conditions of approval shall constitute the amended plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by

the Planning Commission and approval by the Metropolitan Council.

2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the CF zoning districts at the effective date of this ordinance, which must be shown on the plan.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

The proposed request to amend the Crown SP to modify the number of parking spaces from 1,189 spaces to that required by the Core Frame (CF) zoning district will ensure that an appropriate number of parking spaces is provided without requiring every reduction required for building design from having to go back to Council."

- 8. 2007SP-012G-12**
Sugar Valley Place (Final)
Map 181-00, Part of Parcel 279
Subarea 12 (2004)
Council District 31 - Parker Toler

A request for final SP approval to construct 40 townhomes on property located at Nolensville Pike (unnumbered), between Sunnywood Drive and Culbertson Road (10.07 acres), requested by Anderson, Delk, Epps & Associates, applicant, for SAF Properties, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST -Final SP

A request for final Specific Plan (SP) approval to construct 40 townhomes on property at Nolensville Pike (unnumbered), between Sunnywood Drive and Culbertson Road (10.07 acres).

PLAN DETAILS

Site Plan - The plan proposes 40 new townhouses, which complies with the Residential Low Medium policy that recommends a density range of two to four dwelling units per acre. The proposed density provided in this final plan is 3.97 dwelling units an acre.

Approximately half of the site is constrained with floodplain. The units are clustered in the part of the site that is out

of the floodplain. A combination of private streets and alleys are proposed within the development.

This final plan is consistent with the approved preliminary plan that was approved by the Planning Commission on January 11, 2007, and Metro Council on March 21, 2007.

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

The site for the Sugar Valley Place SP has been determined to be in the IDA. The applicant will be required to provide 139.1 linear feet of roadway improvements within the IDA.

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.

1. Show location of two required dumpster pads.
2. It is recommended that sidewalks be provided along Road A to Sunnywood Drive for pedestrian access.

STORMWATER RECOMMENDATION - Final SP approved except as noted:

1. Provide NPDES NOC and include the permit number the site is covered under on the note on the plans with signature.
2. Show easement location on plans for detention pond and bioswale or indicate these areas as common areas/open space.
3. Revise details PESC-02-1 and PESC-02-2 so they are more legible.
4. Provide approval from natural gas pipeline company for proposed grading within their easement.
5. Revise the side slopes for the bioswale so they have a maximum slope of 4:1 per PTP-05 guidelines in Volume 4 of the Metro Stormwater Management Manual.

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

CONDITIONS

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
2. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to issuance of any permits. 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.
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. Signage shall be limited to one monument type sign 20 square feet or less, and not exceed 4 feet in height.
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. 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 upon review of the building permit.

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

7. Within 120 days of Planning Commission approval of this final SP plan, and in any event prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the final SP plan for filing and recording with the Davidson County Register of Deeds.
8. Prior to either the recording of the final plat or the issuance of building permits, the IDA requirements must be completed or bonded.

Approved with conditions, (7-0-1) *Consent Agenda*

Resolution No. RS2007-181

“BE IT RESOLVED by The Metropolitan Planning Commission that 23007SP-012G-12 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
2. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to issuance of any permits. 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.
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. Signage shall be limited to one monument type sign 20 square feet or less, and not exceed 4 feet in height.
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. 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 upon review of the building permit. 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 the enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this final SP plan, and in any event prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the final SP plan for filing and recording with the Davidson County Register of Deeds.
8. Prior to either the recording of the final plat or the issuance of building permits, the IDA requirements must be completed or bonded.

9. 2007Z-077U-08
Map 081-04, Parcel 239
Subarea 8 (2002)
Council District 2 - Jamie D. Isabel, Sr.

A request to change from CS to RM15 zoning property located on Athens Way approximately 510 feet south of Metrocenter Boulevard (5.62 acres), requested by Apartment Development Services Ltd., applicant, for American Realty Trust Inc., owner.

STAFF RECOMMENDATION: Approve, subject to the approval of the associated Planned Unit Development and Community Plan Amendment.

APPLICANT REQUEST - Zone Change

A request to change from Commercial Service (CS) to Multi-Family Residential (RM15) zoning property located on Athens Way approximately 510 feet south of Metrocenter Boulevard (5.62 acres).

Existing Zoning

CS District - Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing, and small warehouse uses.

Proposed Zoning

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

METROCENTER / NORTH RHODES PARK DNDP

Structure Plan

Neighborhood Urban (NU) -NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities, and mixed-use development. An 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.

Detailed Plan

EXISTING POLICY

Commercial (Com) - “Com” policy supports a mixture of commercial, office and appropriate civic and public benefit uses. Residential uses are not intended in Com policy areas.

Parks, Reserves and Other Open Spaces (PR)-PR is reserved for open space intended for active and passive recreation, as well as buildings that will support such open space.

PROPOSED POLICY Mixed Use (MxU) - MxU policy supports an integrated mixture of residential uses and compatible nonresidential uses including offices, commercial uses serving the neighborhood and appropriate civic and public benefit uses. Uses may be mixed either in separate structures across a site or within individual buildings.

Consistent with Policy? - Yes, subject to approval of the associated Planned Unit Development and Community Plan amendment. While the RM15 zoning district complies with the Neighborhood Urban Policy, it is necessary to amend the Detailed Land Use Policy. There is an associated detailed land use policy amendment to Mixed Use with this rezoning request. In addition, the land use policy requires an accompanying design plan. The zone change and associated request for a Planned Unit Development are consistent with Mixed Use in Neighborhood Urban.

Staff Recommendation -Staff recommends approval, subject to approval of the associated Planned Unit Development request and Community Plan Amendment.

RECENT REZONINGS -None

METRO SCHOOL BOARD REPORT

Projected student generation* 5 Elementary 3 Middle 3 High

Schools Over/Under Capacity -Students would attend Harpeth Valley Elementary School, Bellevue Middle School, and Hillwood High School. Harpeth Valley Elementary School is identified as being over capacity by the Metro School Board. There is another elementary school within the cluster that has capacity. This information is based upon data from the school board last updated April 2007.

Approved with conditions, (7-0-1) *Consent Agenda*

Resolution No. RS2007-182

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-077U-08 is **APPROVED, subject to the approval of the associated Planned Unit Development and Community Plan Amendment. (7-0-1)**

The proposed RM15 and associated PUD plan are consistent with the North Nashville Community Plan’s Mixed Use policy, which is intended to encourage an integrated, mixture of residential uses and compatible nonresidential uses that will foster unique opportunities for living, working and shopping.”

10. 2007P-002U-08

Parc at Metrocenter II
Map 081-04, Parcel 239
Subarea 8 (2002)
Council District 2 - Jamie D. Isabel, Sr.

A request for preliminary PUD approval for property located at Vantage Way Court (unnumbered), (2.71 acres), to permit a 64 unit multi-family complex in 4 buildings, requested by Bernard L. Weinstein & Associates, applicant, for American Realty Trust, Inc., owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Preliminary PUD

A request for preliminary PUD approval for property located at Athens Way(unnumbered), approximately 510 feet south of Metrocenter Boulevard (5.62 acres), to permit a 64 unit multi-family complex in 4 buildings.

PLAN DETAILS

Site Plan - The plan proposes 64 units in four buildings, which complies with the proposed Mixed Use Detailed Land Use Policy and the existing Neighborhood Urban structure plan policy that allows a significant amount of residential development within the policy area. A pool house is also included within the proposed plan. The site is bounded on the north by a commercial Planned Unit Development, the south by Athens Way, the west by a Planned Unit Development and the east by a commercial Planned Unit Development

There are a total of 120 parking spaces proposed in the plan. The minimum setback proposed by this plan is 10 feet along Athens Way.

Associated Cases The request for preliminary PUD approval of Parc at Metrocenter II is accompanied by a request to rezone the property from Commercial Services (CS) to Residential Multi-family (RM15) and an amendment to the Detailed Land Use Plan for the North Nashville Community Plan. The requested plan amendment would replace the Detailed Plan policies Commercial (Com) and Parks Reserves and Other Open Spaces (PR) with Mixed Use (MxU).

Staff Recommendation - Staff recommends approval with conditions if the associated policy and zone change request are approved.

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.

1. Prior to the preparation of construction plans, document adequate sight distance at project access location. Indicate the available and required sight distance at the project entrance for the posted speed limit per AASHTO standards.

STORMWATER RECOMMENDATION

1. Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.
2. This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.
3. Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.
4. Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual. Minimum driveway culvert in Metro ROW is 15" CMP.
5. Show location for detention.
6. Provide a Water Quality Concept .
7. Need notification from TDEC that the bodies of water are not classified as waters of the state.

CONDITIONS

1. Prior to the issuance of any permits, approval of the associated zone change amendment to rezone the property from CS to RM15.
2. Approval of the associated amendment to the Detailed Land Use Plan for the North Nashville Community Plan to replace the Detailed Plan policies Com and PR with MxU.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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.
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, (7-0-1) *Consent Agenda*

Resolution No. RS2007-183

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007P-002U-08 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. Prior to the issuance of any permits, approval of the associated zone change amendment to rezone the property from CS to RM15.
2. Approval of the associated amendment to the Detailed Land Use Plan for the North Nashville Community Plan to replace the Detailed Plan policies Com and PR with MxU.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
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.
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.

The proposed PUD plan and associated zone change are consistent with the North Nashville Community Plan's Mixed Use policy, which is intended to encourage an integrated, mixture of residential uses and compatible nonresidential uses that will foster unique opportunities for living, working and shopping."

- 11. 2007SP-084U-05**
10th and Russell Street
Map 083-09, Parcel 207
Subarea 5 (2006)
Council District 6 - Mike Jameson

A request to change from OR20 to SP zoning property located at 205 South 10th Street, southeast corner of Russell Street and South 10th Street and within the Lockeland Springs-East End Neighborhood Conservation Overlay district, (.89 acres), to permit a total of 53,851 square feet containing 3 retail units and 39 residential units, requested by Jim Nickle, applicant, for United Neighborhood Health Services Inc., owner.

STAFF RECOMMENDATION: Approve with conditions.

The Metropolitan Planning Commission DEFERRED Zone Change 2007SP-084U-05 to June 28, 2007, at the request of the applicant. (8-0)

- 12. 2007Z-092U-14**
Map 095-16, Parcels 001, 002, 003, 004
Subarea 14 (2004)
Council District 15 - J. B. Loring

A request to change from R10 to ORI zoning properties located at 2514, 2518, and 2522 Elm Hill Pike, approximately 350 feet west of Emery Drive (12.33 acres), requested by Pauline Maupin, applicant, for Charline and Henry Winstead and H.H. and Pauline Maupin, owners.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to change from One and Two-Family Residential (R10) to Office/Residential Intensive (ORI) zoning properties located at 2514, 2518, and 2522 Elm Hill Pike, approximately 350 feet west of Emery Drive (12.33 acres)

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

ORI District -Office/Residential Intensive is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

DONELSON/HERMITAGE COMMUNITY PLAN

Office Concentration (OC)-The OC policy is intended for existing and future large concentrations of office development. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least nine to twenty dwelling units per acre (RMH density) are also an appropriate secondary use.

Airport Impact Overlay-The subject property is located in the airport overlay district and upon development the maximum height of all structures on the site shall be regulated in order to prevent obstruction to aircraft navigation associated with the Nashville International Airport.

Consistent with Policy? - Yes. The ORI zoning district complies with the Donelson Hermitage Community Plan’s Office Concentration policy for this area. The community plan identifies a need for commercial uses in the area, such as additional office space, new restaurants and hotel, and new retail.

Staff Recommendation- Staff recommends approval because the request is consistent with Office Concentration policy. The ORI zoning district would permit uses that are compatible with existing development and meet specific commercial and retail needs identified by the community. The site also fronts Elm Hill Pike, an urban arterial street where more intense uses are encouraged.

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

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	12.33	3.71	45	499	41	53

Typical Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	12.33	0.398	213,763	2,395	345	319

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

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				1,896	304	266

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	12.33	3.71	45	499	41	53

Maximum Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	12.33	3.0	1,600,000	11,281	1,724	1,871

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				10,782	1,683	1,818

METRO SCHOOL BOARD REPORT

Projected student generation 22 Elementary 14 Middle 10 High

Schools Over/Under Capacity - Students would attend McGavock Elementary School, Two Rivers Middle School, and McGavock High School. McGavock High School is identified as overcrowded by the Metro School Board. There is capacity at Stratford or Glencliff High Schools in the adjacent school clusters. McGavock Elementary is also at capacity; however, there is capacity at Pennington Elementary and Hickman Elementary. This information is based upon data from the school board last updated April 2007.

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

Mr. John Ray, 2545 Lakeland Drive, spoke in opposition to the proposed zone change.

Mr. Jason Neely, 2546 Lakeland Drive, spoke in opposition to the proposed zone change.

Ms. Beverly Ogle, 2551 Lakeland Drive, spoke in opposition to the proposed zone change.

Mr. Loring stated that many of the concerns he had received regarding this proposal revolved around the issue of Lakeland Court and its closure. He announced that he began proceedings to close this street permanently and that he was in the process of obtaining the necessary signatures in order to achieve this closure. He also offered that the owner of the parcel was looking to develop a motel of sort, and that they agreed not to place apartment buildings on the property.

Mr. Clifton commended the Councilmember for his work to close Lakeland Court. He acknowledged the requested use for this parcel was consistent with the subarea plan which did not require the submittal of a planned unit development.

Mr. Clifton then requested additional information on the general requirements that are used to address a project's setback and orientation.

Ms. Jones offered that once the plat is submitted for approval, the subdivision regulations as well as the Zoning Ordinance would be utilized to address any setback or orientation issues.

Ms. Nielson moved and Mr. Loring seconded the motion, which passed unanimously to approve Zone Change 2007Z-092U-14. **(8-0)**

Resolution No. RS2007-184

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-092U-14 is **APPROVED. (8-0)**

The proposed ORI district is consistent with the Donelson/Hermitage Community Plan’s Office Concentration policy which is intended for existing and future large concentrations of office development.”

13. 2007Z-093U-10

Map 117-08, Various Parcels
Map 117-12, Various Parcels
Map 118-05, Various Parcels
Subarea 10 (2005)
Council District 25 - Jim Shulman

A request to rezone various properties from R10 to RS10 along Battlefield Drive, Clifton Lane, Woodmont Boulevard, Granny White Pike, Noelton Avenue, Lealand Lane, Snowden Road, Sutton Hill Road, Craig Avenue, Marengo Lane, McNairy Lane, Park Terrace, Spring Brook Drive, Pleasant Valley Road, Woodhaven Road, and Crestridge Drive (142.42 acres), requested Councilmember Jim Shulman.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to rezone various properties from One and Two-Family Residential (R10) to Single-Family Residential (RS10) along Battlefield Drive, Clifton Lane, Woodmount Boulevard, Granny White Pike, Noelton Avenue, Lealand Lane, Snowden Road, Sutton Hill Road, Craig Avenue, Marengo Lane, McNairy Lane, Park Terrace, Spring Brook Drive, Pleasant Valley Road, Woodhaven Road, and Crestridge Drive (142.42 acres).

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

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

GREEN HILLS/MIDTOWN COMMUNITY PLAN

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 RS10 zoning district complies with the residential density range of two to four dwelling units per acre as specified in the Residential Low Medium policy.

Staff Recommendation-Staff recommends approval because the request is consistent with policy.

RECENT REZONINGS - None

PUBLIC WORKS RECOMMENDATION - No exception taken

METRO SCHOOL BOARDREPORT

Projected Student Generation -As this request to change to single family districts represents a down zoning, the number of expected students to be generated would be less than could be generated under current zoning.

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

Mr. Jonathan Kasper, 927 Battlefield Drive, spoke in favor of the proposed zone change.

Ms. Cathy Pierce, 908 Sutton Hill Road, spoke in favor of the proposed zone change.

A resident of 920 Marengo Lane, spoke in favor of the proposed zone change.

Mr. Ed Kathy 1001 Sutton Hill Road, spoke in favor of the proposed zone change.

Ms. Wynona Lurie, 807 Park Terrace, spoke in favor of the proposed zone change.

Mr. Hasan Obedala, 803 Park Terrace, spoke in favor of the proposed zone change.

Ms. Donna Crawford, 1246 Battlefield Drive, spoke in favor of the proposed zone change.

Mr. Ponder polled the audience to see if anyone was present to speak against the proposed zone change.

There was no one in attendance to speak against the proposed zone change.

Mr. Loring moved and Ms. Nielson seconded the motion, which passed unanimously, to place Zone Change 2007Z-093U-10 back on the Consent Agenda and approve. **(8-0)**

Resolution No. RS2007-185

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-093U-10 is **APPROVED. (8-0)**

The proposed RS10 district 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.”

14. 2007Z-094U-10

Map 117-08, Parcels 251, 252, 253, 254, 255

Map 117-12, Parcels 029, 030

Subarea 10 (2005)

Council District 25 - Jim Shulman

A request to rezone from R10 to RS10 properties located at 1207, 1209, 1211, 1213, and 1215 Battlefield Drive; 1206 and 1208 Clifton Lane, west of Granny White Pike (2.18 acres), requested by Councilmember Jim Shulman, for Esther Barksdale, Stephen, Rosa, Samuel Parish, Emily Burnett, James and Mary Stewart, Robert and Emily Walters, Pamela Price-Williams, and Ernest Sheesley.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to rezone from One and Two-Family Residential (R10) to Single-Family Residential (RS10) properties located at 1207, 1209, 1211, 1213, and 1215 Battlefield Drive; 1206 and 1208 Clifton Lane, west of Granny White Pike (2.18 acres)

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

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

GREEN HILLS – MIDTOWN COMMUNITY PLAN

Residential Low Medium - 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 RS10 zoning district complies with the Residential Low Medium policy of the Green Hills-Midtown Community Plan.

Staff Recommendation - Staff recommends approval because the RS10 district complies with the Residential Low Medium policy. The RS10 district is a less intensive district limited to a housing type of single family only. Under

the current R10 district, the housing types vary and include both single-family dwellings and duplexes.

PUBLIC WORKS RECOMMENDATION - No exception taken

METRO SCHOOL BOARD REPORT - As this request to change to single family districts represents a down zoning, the number of expected students to be generated would be less than could be generated under current zoning.

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-186

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-094U-10 is **APPROVED. (7-0-1)**

The proposed RS10 district 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.”

15. **2007SP-095U-13**
Signature Transportation
Map 134-15, Parcel 001
Subarea 13 (2003)
Council District 28 - Jason Alexander

A request to change the zoning from CS to SP on property located at 1306 Antioch Pike, approximately 600 feet south of Antioch Pike, to permit a limousine service use and all other uses permitted by the CS zoning district and for final SP approval of same (1.1 acres), requested by Duclos Surveying & Design, applicant, Wallace J. Hutcherson, owner.

STAFF RECOMMENDATION: Disapprove unless Stormwater has approved plan prior to Commission meeting.

APPLICANT REQUEST -Preliminary SP

A request to change approximately 1.1 acres from Commercial Service (CS) to Specific Plan (SP) zoning to permit a limousine service use on property located at 1306 Antioch Pike.

Existing Zoning

CS District-Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing, and small warehouse uses.

Proposed Zoning

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

- The SP District is a 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

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

Consistent with Policy?- Yes. The proposed use is consistent with the area's land use policy.

PLAN DETAILS

Site Plan -This site is currently developed, and contains a 3,310 square foot building and parking area. The applicant proposes to use the existing site for a limousine service business. As proposed the only improvement to the site will be approximately 10,000 square feet of additional parking area, which will be located to the rear of the building. An area along the eastern property line which contains numerous large trees will be left undisturbed.

Staff has required certain improvements such as knee-walls for similar used car lot uses. However, since the site currently contains adequate landscaping along Antioch Pike and does not propose any changes along Antioch Pike, including additional parking, the additional requirements for used car lots are not necessary for this application.

Access- The site will be accessed from a single drive onto Antioch Pike.

Staff Recommendation-Since the proposal is consistent with the area's policy, staff recommends that the request be approved with conditions.

RECENT REZONINGS-None

STORMWATER RECOMMENDATION-Disapprove unless Stormwater has approved plan prior to the Commission meeting.

1. Add 78-840 Note: (Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services.).
2. Add Preliminary Note: (This drawing is for illustration purposes to indicate the basic premise of the development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.).
3. Add Access Note: (Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.).
4. Add C/D Note: (Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).).
5. Show Existing Topo.
6. Provide a Water Quality Concept.
7. Provide Room for Detention.

PUBLIC WORKS RECOMMENDATION -Approve with the following conditions:

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

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.1	0.188	9,008	209	28	28

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Limo Service	1.1	N/A	4,100	NA	13	15

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

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour

--				NA	-15	-13
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Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.1	.60	28,750	511	70	112

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Limo Service	1.1	N/A	4,100	NA	13	15

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	-57	-97

CONDITIONS

- 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 CS zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
- 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.
- 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.
- 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.
- 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.
- Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
- Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission’s approval and require resubmission of the plan to the Planning Commission.

Approved with conditions, (7-0-1) *Consent Agenda*

Resolution No. RS2007-187

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-095U-13 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. **For any development standards, regulations and requirements not specifically shown** on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the CS 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. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission’s approval and require resubmission of the plan to the Planning Commission.

The proposed SP is consistent with the Antioch/Priest Lake Community Plan’s Commercial Mixed Concentration policy, which is intended for medium high to high density residential and all types of retail trade, highway oriented commercial services, offices and research activities.”

- 16. 2007Z-096G-14**
Map 075-10, Parcel 213
Subarea 14 (2004)
Council District 11 - Feller Brown

A request to change from SCR to CS zoning property located at 4125 Lebanon Pike, approximately 250 feet south of Tyler Road and located within a Planned Unit Development (0.81 acres), requested by Joseph G. Petrosky Associates, LLC, applicant, for Quaker State Mini-Lube, Inc., owners. (See also PUD Cancellation 128-78-G-14).

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to change from Shopping Center Regional (SCR) to Commercial Service (CS) zoning property located at 4125 Lebanon Pike, approximately 250 feet south of Tyler Road and located within a Planned Unit Development (0.81 acres).

Existing Zoning

SCR District -Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

Proposed Zoning

CS District -Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing, and small warehouse uses.

DONELSON/HERMITAGE COMMUNITY PLAN

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

Consistent with Policy? - Yes. The CS zoning district complies with the Commercial Mixed Concentration policy of the Donelson Hermitage Community Plan.

Staff Recommendation- Staff recommends approval of the CS district because it is consistent with the Commercial Mixed Concentration policy. CS zoning on this site would permit uses that would be compatible with the commercial and office uses abutting the site to east and west, and the properties located directly across the street.

PUBLIC WORKS RECOMMENDATION - No exception taken

Typical Uses in Existing Zoning District: SCR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.81	.245	8,644	408	15	43

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	0.81	.3	10,585	237	32	32

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

				Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-171	17	-11

Maximum Uses in Existing Zoning District: SCR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.81	1.0	35,283	1,548	36	107

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.81	0.6	21,170	404	55	103

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

	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			-1,144	19	-4

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-188

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-096G-14 is **APPROVED. (7-0-1)**

The proposed CS district is consistent with the Donelson/Hermitage Community Plan’s Commercial Mixed Concentration policy, which is intended for medium high to high density residential and all types of retail trade, highway oriented commercial services, offices and research activities.”

- 17. 128-78-G-14**
 Hermitage Business Center - Mini-Lube Cancellation
 Map 075-10, Parcel 213
 Subarea 14 (2004)
 Council District 11 - Feller Brown

A request to cancel the Planned Unit Development District Overlay on property located at 4125 Lebanon Pike, approximately 250 feet south of Tyler Road, that was previously approved for 1,936 square feet of automobile convenience uses (0.81 acres), zoned SCR and proposed for CS, requested by Joseph G. Petrosky Associates, applicant, Q Lube, Inc., owner. (See also Zone Change Proposal No. (2007Z-096G-14).

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - Cancel PUD

A request to cancel the Planned Unit Development District Overlay on property located at 4125 Lebanon Pike, approximately 250 feet south of Tyler Road, that was previously approved for 1,936 square feet of automobile convenience uses (0.81 acres), zoned Shopping Center Regional (SCR) and proposed for Commercial Service (CS).

Existing Zoning

SCR District - Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

Commercial PUDThe Wal-Mart Center PUD consists of six lots on 22.98 acres. The PUD contains two restaurants, a car wash, a general retail store, an auto repair shop, an NES substation, and a mini-lube facility totaling 132,396 square feet.

Proposed Zoning

CS District - Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing, and small warehouse uses.

DONELSON/HERMITAGE COMMUNITY PLAN

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

Consistent with Policy? - Yes. If the associated zone change to allow a CS zoning district on this site is approved, then cancellation of the PUD would result in an underlying district that is consistent with policy.

Staff Recommendation - Staff recommends approval of the PUD cancellation because the base zoning complies with Commercial Mixed Concentration policy. The applicant is proposing to cancel the PUD overlay on the parcel and combine it with the adjacent parcel to the north that is currently zoned CS. If the applicant’s zone change request to CS zoning is approved, then combining the two parcels would ensure consistency in land uses and result

in a more harmonious development pattern.

PUBLIC WORKS RECOMMENDATION - No exception taken

METRO WATER SERVICES - No study is required at this time to cancel PUD, however, once this is done and development is determined, then we will address availability of this site.

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-189

“BE IT RESOLVED by The Metropolitan Planning Commission that 128-78-G-14 is **APPROVED. (7-0-1)**”

The proposed CS base zone for this proposed PUD cancellation is consistent with the Donelson/Hermitage Community Plan’s Commercial Mixed Concentration policy, which is intended for medium high to high density residential and all types of retail trade, highway oriented commercial services, offices and research activities.”

- 18. 2007Z-097U-03**
Map 069-00, Parcel 235
Subarea 3 (2003)
Council District 1 - Brenda Gilmore

A request to change from SCN to RM15 zoning property located at Clarksville Pike (unnumbered), north of W. Hamilton Avenue and located within a Planned Unit Development (6.93 acres), requested by Cascades KR, LLC, owner. (See also PUD Amendment Proposal No. 68-87-U-03).

STAFF RECOMMENDATION: Approve, subject to approval of NorthSide Station PUD.

APPLICANT REQUEST - A request to change approximately 6.93 acres located on Clarksville Pike (unnumbered), from Shopping Center Neighborhood (SCN) to Multi-Family Residential (RM15).

Existing Zoning

SCN District Shopping Center Neighborhood is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Proposed Zoning

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

BORDEAUX/WHITES CREEK COMMUNITY PLAN POLICY

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

Detailed Policies

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

Mixed Housing (MH)-MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the

street.

Consistent With Policy? -Yes. The proposed RM15 and the associated PUD plan are consistent with the area’s policies. As proposed the PUD will provide for a mixture of housing types that is specified in the area’s residential policies.

Staff Recommendation - Since the requested RM15 district and the associated PUD plan are consistent with the area’s policies, staff recommends that the request be approved.

RECENT REZONINGS-None

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

Maximum Uses in Existing Zoning District: SCN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center(820)	6.93	.3	90,560	6,368	148	587

Maximum Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	Density	Total Number of Units*	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/ Townhouse(230)	6.93	15	66	451	38	43

*The density proposed by the PUD is 66 units, 39 townhouses, 19 cottages and 8 duplex units.

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
--				-5,917	-110	-544

METRO SCHOOL BOARD REPORT

Projected student generation 10 Elementary 8 Middle 7 High

Schools Over/Under Capacity - Students would attend Bordeaux Elementary School, Ewing Park Middle School, and Whites Creek High School. All three schools are identified as having additional capacity by the Metro School Board. This information is based upon the data from the school board last updated April 2007.

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-190

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-097U-03 is **APPROVED, subject to approval of North Side Station PUD. (7-0-1)**

The proposed RM15 district and associated PUD plan are consistent with the Bordeaux/Whites Creek Community Plan’s Single-Family Attached and Detached and Mixed Housing in Community Center policies which are intended to provide a variety of housing types that are tightly arranged to promote walkability within areas intended to become community centers.”

- 19. **68-87-P-03**
 Northside Station (Pud Amendment)
 Map 069-00, Parcel 235
 Subarea 3 (2003)

A request to amend the preliminary plan for a portion of the commercial Planned Unit Development located on at Clarksville Pike (unnumbered), north of W. Hamilton Avenue, classified SCN and proposed for RM15 (6.93 acres) to permit the development of 39 townhomes, 19 cottages, and 8 duplex units, requested by Affordable Housing Resources, applicant, for Cascades KR LLC, owner. (See also Zone Change Proposal No. 2007Z-097U-03).

STAFF RECOMMENDATION: Approve with conditions only if Fire Marshal Issues have been resolved and the Fire Marshal’s Office recommends approval. If the Fire Marshal’s issues have not been resolved then staff recommends that the request be deferred.

APPLICANT REQUEST - Amend Preliminary PUD

A request to amend the preliminary plan for a portion of the commercial Planned Unit Development located on at Clarksville Pike (unnumbered), at the northeast corner of Clarksville Pike and W. Hamilton Avenue, classified Shopping Center Neighborhood (SCN) and proposed for Multi-Family Residential (RM15) (6.93 acres) to permit the development of 39 town homes, 19 cottages, and 8 duplex units.

PLAN DETAILS - This is a request to amend the preliminary plan for a portion of a commercial Planned Unit Development to allow for residential uses. The preliminary plan was originally approved 1987, and was approved for 190,000 square feet of various commercial and retail uses. Since its original approval the plan has had several revisions. The last amendment was in 1994 and was for 165,319 square feet of various commercial and retail.

Site Plan - The plan calls for a total of 66 residential units on approximately 7 acres with an overall density of approximately 9.5 units per acre. The plan utilizes a mixture of housing types and consists of 39 town homes, 19 cottages and 8 duplexes. The majority of the 39 town home units and all of the cottage units front onto common open space with parking provided at the rear. Eleven of the town homes front onto the main private drive and are also provided with rear parking. The duplex units front along the main private drive with parking provided along the drive.

Land Use

Lots	3.46	50.00%
Common	1.86	26.88%
Drives/Parking	1.6	23.12%
	6.92	100.00%

Access and Parking - Access will be off of Clarksville Pike. This property is part of a larger commercial PUD, and does not have direct access to Clarksville Pike. Access will be provided by an access easement through the built portion (Kroger) of the PUD which does front onto Clarksville Pike. The private drive which is accessed through the built portion of the PUD will be the main access. Three secondary emergency access points are also provided along the western property line. The secondary access points will be located at the end of the three private alleys and will connect to the rear of the Kroger building. Alleys will not extend to the existing asphalt behind the Kroger but will provide a Geo-Grid driving surface which will allow for emergency vehicular access.

For this kind of development Metro Code requires 136 parking spaces. As proposed 143 parking spaces will be provided and is in compliance with the code requirement. A majority of the parking will be provided at the rear of the units and will be accessed by the private alleys. Parking spaces for the duplexes will be provided along the main private drive.

Buffering -The development will be adjoined by a single-family residential district (RS7.5) to the north, south and east and a commercial district (SCN) to the west. Metro Code requires a B-Class Landscape Buffer along the development boundary adjacent to the RS7.5 district and an A-Class Landscape Buffer along the development boundary and the SCN district. While Metro Code requires an A-Class Landscape Buffer Yard adjacent the SCN district, the property boundary is within close proximity of loading docks and garbage compactors associated with the Kroger and other neighboring commercial uses, so the A buffer yard is not sufficient. To minimize noise from the adjacent commercial uses additional buffering should be provided.

Staff Recommendation -Staff recommends that the request be approved with conditions, only if Fire Marshal Issues have been resolved and the Fire Marshal’s Office recommends approval. If the Fire Marshal’s issues have not been resolved then staff recommends that the request be deferred.

PUBLIC WORKS RECOMMENDATION

1. Revise cover sheet general note #1: Identify roadways as private. Plan proposes to connect to the existing private commercial driveway.
2. Construct 24' drive isle for ninety degree angle parking ("Alley A").
3. Alley's for secondary access. No dead end alley's to accommodate curbside pickup.
4. Show an additional screened dumpster pad for multifamily units. Pad locations to accommodate SU-30 turning movements.
5. Delineate striping at signal. Dedicate left turn lane with transition into two-way left turn lane at library entrance.

STORMWATER RECOMMENDATION - Approve with conditions:

1. Provide water quality concept.

FIRE MARSHAL RECOMMENDATION -Disapprove

1. Dead end roadways ofer 150 feet in length require a 100 foot diamiter turnaround or other turning arrangements approved by the Fire Marshals Office. (Geo-Grid Surface emergency Access through other private property is NOT APPROVED).

CONDITIONS:

1. Additional buffering shall be provided along the western property line behind the commercial uses.
2. Upon submittal of the final PUD, any changes from the preliminary plan that were made to address Public Works and Fire Marshal's concerns listed above may be considered as a revision as long as the overall concept is the same and there is no increase in the total number of units.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner's signatures, to the Planning Commission staff for review.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
9. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

Approved with conditions, (7-0-1) *Consent Agenda*

Resolution No. RS2007-191

“BE IT RESOLVED by The Metropolitan Planning Commission that 68-87-P-03 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. Additional buffering shall be provided along the western property line behind the commercial uses.
2. Upon submittal of the final PUD, any changes from the preliminary plan that were made to address Public Works and Fire Marshal’s concerns listed above may be considered as a revision as long as the overall concept is the same and there is no increase in the total number of units.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owner’s signatures, to the Planning Commission staff for review.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
8. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
9. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

The proposed PUD plan and associated RM15 district are consistent with the Bordeaux/Whites Creek Community Plan’s Single-Family Attached and Detached and Mixed Housing in Community Center policies which are intended to provide a variety of housing types that are tightly arranged to promote walkability within areas intended to become community centers.”

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- 20. 2007Z-101G-12**
Map 183-00, Parcel 112
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to change from AR2a to RS10 zoning property located at 312 Battle Road, approximately 930 feet south of Old Hickory Boulevard (6.34 acres), requested by Perfecting Faith Ministries, owners.

STAFF RECOMMENDATION: Disapprove.

The Metropolitan Planning Commission DEFERRED Zone Change 2007Z-101G-12 indefinitely, at the request of the applicant. (8-0)

21. 2007Z-102T
2007 Application Fee Increases

A request to increase the zoning application fees for year 2007, requested by Metro Planning Department.

STAFF RECOMMENDATION: Approve.

REQUEST - A request to update the zoning, subdivision, and special GIS and mapping fees by increasing them for full-cost recovery, as recommended by the 2007 Maximus Study of Metro Planning Department fees charged to the public and development community for applications, research and mapping services, requested by the Metro Planning Department.

STAFF RECOMMENDATION- This item is a set of three proposals to increase fees the Planning Department charges for applications, research, and customized data. Zoning fees are established by the Metro Council, with recommendation by the Planning Commission. Subdivision fees are established by the Planning Commission. Fees for GIS data and custom maps produced by GIS and Mapping Services staff are also set by the Commission.

Proposed fee increases, shown on the attached charts, are part of the mayor's proposed budget as a revenue enhancement. The fee increases have been recommended by the 2007 Maximus Study for the purpose of recovering the full cost of special services for individuals or groups of individuals; those special services exceed the standard set of services provided across the board to all taxpayers. Increases proposed will recover 100% of Metro's current cost for the Planning Department to provide development review and related services. The current fee schedule recovers only 57.3% of those costs, while the general taxpayer subsidizes 42.7% of the cost of providing these special services.

Staff recommends approval of the new fee schedules to be effective July 1, 2007.

ZONING		
Application Type	CURRENT FEE	<u>PROPOSED FEE</u>
STANDARD		
Zone Change	\$1,200 base fee for up to five acres, <i>plus</i> > 5 - 100 acres = \$10 per acre > 100 acres = \$5 per acre	\$1,400.00
Specific Plan	\$1,600 base fee for up to five acres, <i>plus</i> > 5 - 100 acres = \$100 per acre > 100 - 500 acres = \$45 per acre > 500 acres = \$25 per acre	\$6,195.00
OVERLAY DISTRICTS		
Historical District Historical Landmark Institutional Neighborhood Conservation Neighborhood Landmark Planned Unit Development ----- - new (preliminary) - amend - revised preliminary - revised preliminary & final - administrative - cancel - final	\$1,600 base fee for up to five acres, <i>plus</i> > 5 - 100 acres = \$100 per acre > 100 - 500 acres = \$45 per acre > 500 acres = \$25 per acre	\$1,975.00
Urban Design Overlay	\$1,800 base fee for up to five acres, <i>plus</i> > 5 - 100 acres = \$90 per acre > 100 - 500 acres = \$45 per acre > 500 acres = \$25 per acre	\$8,845.00
OTHER ZONING FEES		
Application Type	CURRENT FEE	<u>PROPOSED FEE</u>
Official Zoning Letter	\$10	\$40.00
Zoning Text Amendment	\$1,000 per application	\$1,180.00
SUBDIVISIONS		
Concept Plan	\$400 base fee plus \$60 per lot	\$3,040.00
Development Plan	None	\$470.00
Final Plat	\$400 base fee plus \$13 per lot	\$2,100.00
Final Plat Revision (including setback change)	\$150 base fee plus \$15 per lot	\$1,250.00
Critical Lot Plan	\$15 per lot	\$70.00

Subdivision Regulation Amendment	\$750.00	\$750.00
Bond (new)	\$160 per bond	\$285.00
Bond (existing)	\$100 per bond release, reduction or extension	\$285.00
Permit Plan Review	None	\$160.00
Lot Comparability Analysis	None	\$55.00
PUBLICATIONS (price per copy)		
Publication Type	CURRENT FEE	<u>PROPOSED FEE</u>
Regulations		
Subdivision Regulations	20.00	\$20.00
Traffic Study Requirements	10.00	\$10.00
Zoning Code	40.00	\$40.00
General Plan		
Community Plan (#1 - 14)	30.00	\$30.00
Detailed Neighborhood Design Plan	15.00	\$15.00
Land Use Policy Application	30.00	\$30.00
Concept 2010 Plan	4.00	\$4.00
Mobility 2010 Plan	8.00	\$8.00
Bicycle & Pedestrian Plan	35.00	\$35.00
Commercial Village Plan	4.00	\$4.00
Publication Type	CURRENT FEE	<u>PROPOSED FEE</u>
Functional Plan	5.00	\$5.00
Neighborhood Plan	4.00	\$4.00
Institutional Overlay Plan	30.00	\$30.00
Urban Design Overlay Plan	30.00	\$30.00
Policy Change		
COMMUNITY PLANS		
Community Plan, amendment	None	\$4,670.00
GIS DATA & SERVICES		
Map / Service	CURRENT FEE	<u>PROPOSED FEE</u>
Standard Topo Map	\$17	\$25.00
Standard Property / Zoning Map	\$17	\$25.00
Political Map	\$9	\$15.00
11" x 17" Digital Aerial	\$17	\$25.00

36" x 24" Digital Aerial	\$30	\$45.00
Temporary Parcel Numbers	na	\$35.00
Digital Data CD/Download	\$75	\$75.00
Custom Map (per hr.)	\$70	\$445.00
Distribution License	\$9,000 for three years	\$9,000.00
Distribution License Update	\$700 annually	\$700.00
Site Plan Map	\$17	\$25.00
Countywide Zoning Map	\$10	\$15.00
Lot Splits	NC	\$75.00
Review of Master Deed Exhibits	NC	\$20.00

Individual GIS Layers	CURRENT FEE	<u>PROPOSED FEE</u>
Orthophotography	NA	\$1,500.00
Topographic <i>(including contours & spot elevations)</i>	NA	\$1,500.00
Planimetric (Transport) <i>(including building footprints, pavement, parking, & sidewalks)</i>	NA	\$500.00
Planimetric (Hydro) <i>(including streams, rivers, lakes, ponds, floodway & floodplain)</i>	NA	\$300.00
Planimetric (Misc) <i>(including cemeteries, recreation, vegetation, fences, & walls)</i>		NC
Individual GIS Layers	CURRENT FEE	<u>PROPOSED FEE</u>
Cadastral <i>(including parcels with LIS, parcel dimensions, lot lines, & subdivisions)</i>	NA	\$3,700.00
Zoning <i>(including zoning, PUDs & overlays)</i>	NA	\$500.00
Streets <i>(including street centerlines)</i>	NA	\$1,000.00
Political <i>(including Council, School Board, State Senate, State House, US Congress, precincts, & polling locations)</i>	NA	\$15.00
Jurisdictional <i>(including County, satellite cities, & zip codes)</i>	NA	NC
Taxing <i>(including USD & GSD)</i>	NA	NC

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

Mr. McLean requested additional clarification on the original audit and whether the requested increase brought the fees up to the 100% scale as recommended by the audit.

Mr. Bernhardt explained this information to the Commission.

Mr. Mclean moved and Mr. Loring seconded the motion, which passed unanimously to approve Text Amendment 2007Z-102T. **(8-0)**

Resolution No. RS2007-192

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-102T is **APPROVED. (8-0)**”

22. 2007Z-109T
Parking Garage Liner Buildings

A request to amend Section 17.12.070 of the Metro Zoning Code relative to special floor area ratio (FAR) provisions, allowing the floor area of parking garage liner buildings fronting a public street or public space to be exempt from the calculation of floor area ratio, requested by Metro Planning Staff and sponsored by Councilmember Jameson.

STAFF RECOMMENDATION: Approve.

REQUEST - A council bill to allow the floor area of parking garage liner buildings fronting a public street or public space to be exempt from the calculation of floor area ratio.

ANALYSIS - “Liner Building” is a term used to describe a narrow building that is wide to the street but shallow to the block depth. These buildings can be used to hide long blank walls of a parking garage and create new mixed-use spaces in small increments. When done in continuous sections, these buildings can provide an active continuous street frontage while keeping most of a site in parking.

In the recent update to the Downtown Community Plan, there is a recommendation to amend the zoning code to allow the floor area of liner buildings not already mandated by the Zoning Ordinance to be exempt from a project’s primary Floor Area Ratio* calculation. For parking decks in the MUI and CC Districts, it is already mandatory to devote 75% of the street frontage of the street level to office and non-parking uses. This recommendation is a way to achieve the vision of a “24/7” downtown with strategic mixed use. This amendment is an incentive-based way to implement that vision.

*Floor Area Ratio is the total square footage of all structures on a lot, divided by the total horizontal area of the lot.

Proposed Bill -The proposed bill adds a definition for “liner buildings,” and specifies the bill applies to properties in CC, CF, ORI and all mixed use districts. It specifies that parking garages or structures fronting a public street or public space may be masked by a liner building a minimum of 20 feet deep. The first 20 feet of depth of the liner building shall be occupied by office, residential or other nonparking commercial uses. A minimum of 50 percent of the street or public space level of wall area shall be glazed, and a minimum of 25 percent of that wall area of upper levels shall be glazed. The floor area of any liner building is excluded from the calculation of floor area ratio to entice developers to include it to create active public streets and spaces.

Staff Recommendation -Staff recommends approval of the proposed text amendment because it supports the vision of a 24/7 mixed use downtown.

ORDINANCE NO. BL_____

A request to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to allow the floor area of parking garage liner buildings fronting a public street or public space to be exempt from the calculation of floor area ratio. (Proposal No. 2007Z-109T)
NOW, THEREFORE, BE IT ENACTED BY THE COUNTY OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

SECTION 1 By amending Section 17.04.060 B. "Definitions of General Terms" of the Metropolitan Code by **adding** a "liner building" definition as follows:

"Liner building" means a building specifically designed to mask a parking garage or structure from a frontage on a public street or public space.

SECTION 2 By amending Section 17.12.070 "Special Floor areas ratio (FAR) provisions" by **adding** a "Section F" as follows:

F. Parking Garage Liner Buildings. Within the CC, CF, ORI and all mixed-use districts, parking garages or structures fronting a public street or public space may be masked by a liner building a minimum of 20 feet deep. The first 20 feet of depth of the liner building shall be occupied by office, residential or other nonparking commercial uses. A minimum of 50 percent of the wall area of the street level or public space level shall be glazed, and a minimum of 25 percent of that wall area of upper levels shall be glazed. The floor area of any liner building shall be excluded from the calculation of floor area ratio.

SECTION 3 BE IT FURTHER ENACTED, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Councilmember Mike Jameson

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-193

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-190T is **APPROVED. (7-0-1)**"

X. FINAL PLATS

- 23. 2007S-093U-12**
Holt Property Final Plat
Map 147-08, Parcel 021
Subarea 12 (2004)
Council District 30 - Jim Hodge

A request for final plat approval to create 2 lots on property located at 4357 Goins Road, at the southwest corner of Goins Road and Taylor Road (0.54 acres), zoned R6, requested by Kathy Holt Register and Clarence Register, owners, Jason Smith, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Final Plat

A request for final plat approval to create 2 lots on property located at 4357 Goins Road, at the southwest corner of Goins Road and Taylor Road (0.54 acres), zoned One and Two-Family Residential (R6).

ZONING

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

PLAN DETAILS -The applicant proposes subdividing a .54-acre lot to create two single-family lots. An existing single family home would remain on the original lot, which totals 12,671 square feet. The new lot consists of 8,988 square feet.

Lot Comparability - Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly

developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street	Requirements	
	Minimum lot size (sq. ft.)	Minimum lot frontage (linear ft.)
Goins Road	16,988	71
Taylor Road (interior lot)	7,644	51
Taylor Road (corner lot)	7,644	51

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

- Lot 1: 12,671 Sq. Ft. with 113.02 ft. of frontage on Goins Road, and 76.43 ft. of frontage on Taylor Road
- Lot 2: 8,988 Sq. Ft. with 79.65 ft. of frontage on Taylor Road

Lot 1 fails lot comparability for area. The minimum lot size for Goins Road is 16,988 square feet. Lot 1 yields 12,671 square feet after the lot is subdivided.

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

- The proposed lots could meet **one** of the qualifying criteria of the exception to lot comparability:
- The proposed lots are consistent with the adopted land use policy that applies to the property. The lots are located in the Residential Low Medium land use policy. RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Staff Recommendation -Staff recommends approval of the final plat and a waiver to lot comparability. Subdividing one lot to allow the addition of another single-family unit would yield lots consistent with the pattern of development in the area. The surrounding neighborhood is residential character with single-family housing as the predominant housing type. The waiver to lot comparability is recommended because the lots are planned for single-family homes only and the proposed density of 2.16 units per acre complies with Residential Low Medium policy.

PUBLIC WORKS RECOMMENDATION -No exception taken

STORMWATER RECOMMENDATION -Final plat approved except as noted.

1. If the roadside ditches are not in the ROW, then show and label the appropriate public drainage easements.

CONDITION - The lots are restricted to single-family.

Approved with conditions, (7-0-1) *Consent Agenda*

Resolution No. RS2007-194

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-093U-12 is **APPROVED WITH CONDITIONS. (7-0-1)**

Conditions of Approval:

1. The lots are restricted to single-family.”

- 24. 2007S-108U-10**
 Waverly Vault Subdivision
 Map 105-13, Parcel 411, 412
 Subarea 10 (2005)
 Council District 17 - Ronnie E. Greer

A request for final plat approval to create 4 lots on property located at 2308 and 2310 Vault Lane, at the northeast corner of Vault Lane and 9th Avenue South (1.15 acres), zoned R10, requested by Vincent Messina, owner, Wamble & Associates, surveyor.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request for final plat approval to create 4 lots on property located at 2308 and 2310 Vault Lane, at the northeast corner of Vault Lane and 9th Avenue South (1.15 acres), zoned One and Two-Family Residential (R10).

ZONING

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

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

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

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
Vault Lane	7,794	55.0

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

- Lot 1: 12,187 Sq. Ft., (.28 Acres), with 46 ft. of frontage
- Lot 2: 12,677 Sq. Ft., (.29 Acres), with 46 ft. of frontage
- Lot 3: 12,304 Sq. Ft., (.28 Acres), with 46 ft. of frontage
- Lot 4: 11,799 Sq. Ft., (.27 Acres), with 46 ft. of frontage

All four lots pass lot comparability for area, but fail for frontage.

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

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

- If the proposed subdivision is within a one-quarter mile radius of any area designated as “Mixed Use,” “Office,” “Commercial,” or “Retail” land use policy. This request is less than one-quarter mile from a Retail Concentration Community policy area.

Section 3-4.2.f -Section 3-4.2.f of the Subdivision Regulations states that a lot cannot be over four times longer than it is wide (the “depth to width ratio”). The proposed lots do not comply with that regulation. Because the lots match the existing development pattern in that area, staff recommends granting a variance to Section 3-4.2.f.

Staff Recommendation -Staff recommends the granting of an exception to lot comparability and a variance to the Subdivision Regulations since the proposed subdivision is consistent with policy, is less than one-quarter mile from a retail policy area, and matches the existing development pattern in the area.

PUBLIC WORKS RECOMMENDATION -No Exceptions Taken.

STORMWATER RECOMMENDATION -Approved.

WATER SERVICES RECOMMENDATION -Approvable to the Development Services Division of MWS.

NES -Obtain new NES approval.

CONDITIONS

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

1. Screen back old parcel numbers.
2. Add required NES easements.
3. Add a 10' private sanitary sewer service line easement across a portion of lot 3 and lot 4 as shown on the plat.

Approved, (7-0-1) *Consent Agenda*

Resolution No. RS2007-195

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-108U-10 is **APPROVED. (7-0-1)**”

- 25. 2007S-125G-14**
 Hermitage Commons
 Map 086-00 Part of Parcels 018, 020
 Subarea 14 (2004)
 Council District 14 - Harold White

A request for final plat approval to create 3 lots on a portion of properties located at Cortez Court (unnumbered) and Old Lebanon Dirt Road (unnumbered), approximately 255 feet south of Panama Drive (8.01 acres), zoned CS, requested by Hermitage Commons, LLC, owner, Cherry Land Surveying, Inc., surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Final Plat

A request for final plat approval to create 3 lots on a portion of properties located at Cortez Court (unnumbered) and Old Lebanon Dirt Road (unnumbered), approximately 255 feet south of Panama Drive (8.01 acres), zoned Commercial Service (CS).

ZONING

CS District -Commercial Service is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

PLAN DETAILS -The final plat consists of three lots totaling eight acres - Lot 1 is 1.5 acres, Lot 2 is 1.83 acres and Lot 3 is 4.67 acres. The property lies within the 100-year floodplain and abuts Stoners Creek. A greenway is planned along Stoners Creek, and a 25-foot easement has been dedicated on the plat for the greenway, however, the plat will need to be revised to include the floodway, and floodway buffer plus the 25 foot easement.

Airport Impact Overlay -The subject property is located in the airport overlay district and upon development the maximum height of all structures on the site shall be regulated in order to prevent obstruction to aircraft navigation associated with the Nashville International Airport.

Staff Recommendation -Staff recommends approval of the final plat. The property is zoned for commercial uses and is located in an area ideal for intense development. The CS district will permit the new lots to be used for a variety of uses, including retail, office and low intensity industrial uses. It should also be noted that a significant portion of this site lies within the 100-year floodplain, and as such requires that a minimum of 50 percent of the natural floodplain area remain undisturbed and in its natural state.

PUBLIC WORKS RECOMMENDATION -No exception taken

STORMWATER RECOMMENDATION - Approved

CONDITIONS - Prior to the recording of the final plat:

1. Label greenway easement as “Conservation Greenway Public Access Trail Easement Area” and include the area located in the floodway, the floodway buffer plus an additional 25 feet.

Approved with conditions, including extending of the public utility easement, label the 20 foot sewer easement as public, labeling the greenway easement as “Conversation Greenway Public Access Trail Easement Area,” and including the area located in the floodway, the floodway buffer plus an additional 25 feet, and posting a bond for water and sewer infrastructure must be posted prior to the recording of the final plat, (7-0-1) *Consent Agenda*

Resolution No. RS2007-196

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-125G-14 is **APPROVED WITH CONDITIONS, including extending of the public utility easement, labeling the 20 foot sewer easement as public, labeling the greenway easement as “Conservation Greenway Public Access Trail Easement Area,” and including the area located in the floodway, the floodway buffer plus and additional 25 feet, and posting a bond for water and sewer infrastructure must be posted prior to the recording of the final plat. (7-0-1)”**

XI. REVISIONS AND FINAL DEVELOPMENT PLANS

- 26. 47-86-P-02**
Nashville Business Center (Cintas)
Map 050-00, Parcel 130
Subarea 2 (2006)
Council District 3 - Walter Hunt

A request to revise the preliminary and for final approval of a Planned Unit Development located at 3400 Briley Park Boulevard N., northwest corner Briley Park Boulevard N. and Brick Church Lane (4.94 acres), to permit a secondary access point onto Briley Park Boulevard N. and to add 26 parking spaces, zoned IWD, requested by CEI Engineering, applicant, for CINTAS Corporation No. 1, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST -Revise Preliminary & Final PUD

A request to revise the preliminary and for final approval of a Planned Unit Development located at 3400 Briley Park Boulevard N., northwest corner Briley Park Boulevard N. and Brick Church Lane (4.94 acres), to permit a secondary access point onto Briley Park Boulevard N. and to add 26 parking spaces, zoned Industrial Warehousing/Distribution (IWD).

PLAN DETAILS

Site Plan- The plan calls for a secondary access point onto Briley Park Boulevard and an additional 26 parking spaces. The proposed structure is within an industrial Planned Unit Development. The minimum setbacks in this plan are 15 feet. The southeast portion of the structure lies within the 100 year Floodplain.

Access -The proposed access point and existing access point are both located on Briley Park Blvd. North.

Parking The plans calls for a total of 140 parking spaces.

Staff Recommendation-Approve 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.

STORMWATER RECOMMENDATION

1. Add Water Quality Spread.
2. Provide Water Quality Calculation.
3. Provide Pond & Swale Maintenance Agreement and Easement Document.
4. Provide recording fee.

CONDITIONS

1. Comply with all Stormwater recommendations and requirements
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, (7-0-1) *Consent Agenda*

Resolution No. RS2007-197

“BE IT RESOLVED by The Metropolitan Planning Commission that 47-86-P-02 is **APPROVED WITH CONDITIONS. (7-0-1)**”

Conditions of Approval:

1. Comply with all Stormwater recommendations and requirements
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."

- 27. 27-87-P-03**
Creekside Trails Phase 7
Map 058-00, Part of Parcel 207
Subarea 3 (2003)
Council District 1 - Brenda Gilmore

A request to revised conditions of the final approval for Phase 7, of the Planned Unit Development located along the north side of Cato Road and the west side of Briley Parkway, zoned RS15, (18.6 acres), to develop 64 single-family lots, requested by Anderson Delk, Epps and Associates, applicant, for Tennessee Contractors, Inc., owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST -Revise Preliminary & Final

A request to revise conditions of the final approval for Phase 7, of the Planned Unit Development located along the north side of Cato Road and the west side of Briley Parkway, zoned RS15, (18.6 acres), to develop 64 single-family lots, requested by Anderson Delk, Epps and Associates, applicant, for Tennessee Contractors, Inc., owner.

PLAN DETAILS - The plan is consistent with the revised preliminary PUD plan approved on February 17, 2000, except that the phases of development are being revised. The revised lot layout approved December 14, 2006, is essentially the same, with a few small variations.

The new phase 7 contains the old phase 7 and parts of phases 8, 9 and 10. This will require reportioning of the

required traffic improvements. Public Works is meeting with the applicant about this and will have a recommendation before the meeting.

Previous Traffic Conditions relating to this phase:

8. Prior to the approval of the final PUD plan for Phase VIII, the developer shall submit right-of-way plans, construction plans, and cost estimates for the improvement or replacement of the existing concrete and iron beam bridge located on Cato Road immediately north of the Cato Road/Cato Court intersection so that the improved or new bridge meets the then-current AASHTO standards with a pavement width of 24 feet shall be submitted to the MPC and the DPW for review and approval.
9. Prior to the approval of the final PUD plan for Phase IX, if the documents submitted under item 8., as approved by the DPW, establish the need for the acquisition of additional right-of-way, then the developer shall pay to Metropolitan Government the amount required for the improvement or replacement of the existing concrete and iron beam bridge located on Cato Road immediately north of the Cato Road/Cato Court intersection, and the acquisition of any necessary additional right-of-way, so that the improved or new bridge meets the then-current AASHTO standards with a pavement width of 24 feet.

If the documents submitted under item 8, as approved by the DPW, do not establish the need for additional right-of-way, then, prior to the approval of the final PUD plan for Phase IX, the developer shall bond such construction in conformance with Metropolitan Government's standard procedures.

The plan proposes 64 single family lots. There is a landscape buffer yard proposed along Cato Road because the rear of the lots back up to the road. Even though this is an old PUD, sidewalks are required on both sides of the streets.

When the revision to preliminary and final PUD was approved in December of 2006, the developer did not indicate that the final plats would be recorded in 2 sections. The developer's proposal is to attach the traffic requirements to the second plat for Phase 7, which would correspond with the number of lots in the original Phase 8.

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.
- Identify right of way dedication along Cato Road.
- Improve Cato Road along property frontage.
- Comply with previous conditions for PUD:
 - Submit construction plans for left turn lane with 125 ft of storage and transition per AASHTO standards on Ashland City Hwy at Cato Rd

STORMWATER RECOMMENDATION - Approve

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 and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
3. 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.
4. 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.

5. The traffic requirements shall be bonded with the plat for Phase 7, Section 2.

Approved with conditions, (7-0-1) *Consent Agenda*

Resolution No. RS2007-198

“BE IT RESOLVED by The Metropolitan Planning Commission that 27-87-P-03 is **APPROVED WITH CONDITIONS. (7-0-1)**

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 and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
3. 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.
4. 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.
5. The traffic requirements shall be bonded with the plat for Phase 7, Section 2.”

28. **2005UD-003G-12**
Carothers Crossing, Final Site Plan
(Temporary Sales Center)
Map 188-00, Parcel 008
Subarea 12 (2004)
Council District 31 - Parker Toler

A request to revise the final site plan of the approved Urban Design Overlay district at 7287 Carothers Road, to permit a revision to the approved site plan to allow for the 2,600 square foot temporary sales center, and equipment building and a 27 vehicle parking lot, requested by Wood Ridge Investments, LLC, applicant/owner.

STAFF RECOMMENDATION: Defer or disapprove unless a recommendation of approval is received from Stormwater prior to the Planning Commission Meeting.

The Metropolitan Planning Commission DEFERRED 2005UD-003G-12 to June 14, 2007, at the request of the applicant. (8-0)

XII. OTHER BUSINESS

29. New employee contract for Robert Leeman and an amended employee contract for Jason Swaggart.

Approved, (7-0-1) *Consent Agenda*

- 30. Contract between the Regional Transportation Authority (RTA) and the Nashville-Davidson County MPC, acting on the behalf of the Nashville Area MPO for Commuter Rail Planning Services.

Approved, (7-0-1) *Consent Agenda*

- 31. Executive Director Reports
- 32. Legislative Update
- 33. Report of the Commission’s Nominating Committee for Election of Officers

Ms. Beehan, Chair of the nominating Committee, announced that the nominating committee has completed their task and are recommending that Mr. McLean serve in the capacity of Chairman and that Mr. Ponder serve as Vice Chairman.


Ms. Beehan moved and Mr. Clifton seconded the motion, which passed unanimously to approve the Nominating Committee’s recommendation whereas McLean will serve as Chairman and Mr. Ponder will serve as Vice Chairman.

XIII. ADJOURNMENT

The meeting adjourned at 5:15 p.m.

Chairman

Secretary

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