



**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**

August 9, 2007

4:00 PM

*Metro Southeast at Genesco Park
1417 Murfreesboro Road*

PLANNING COMMISSION:

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

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant Executive Director
David Kleinfelter, Planning Mgr. II
Ted Morrissey, Legal Counsel
Jason Swagart, 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
Dennis Corrieri, Planning Tech I

Commission Members Absent

Ann Nielson

I. CALL TO ORDER

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

II. ADOPTION OF AGENDA

Mr. McLean recommended procedures for the Commission to follow regarding the Rose Park Public Hearing. He explained that in order to permit the orderly presentation of information on the E.S. Rose Park Improvement case and to allow the Planning Commission the opportunity to properly discuss its recommendation to the Metropolitan Council, he was proposing that the Commission allow a maximum of 1 hour for the presentation of public comment with each side being given 30 minutes. Each individual presenter will continue to be limited to 2 minutes per speaker. Mr. McLean recommended that the Commission begin with the applicant and proponents followed by the opponents. It was also suggested, that the applicants may set aside whatever time (within their 30-minute maximum) they chose for comments following the opponents provided they inform the Commission of the desire to set aside time prior to the beginning of the public hearing.

Mr. Clifton requested additional clarification from the Chairman regarding this recommendation.

Ms. Cummings made further clarification on the procedure.

Mr. Ponder questioned the overall time allotted for both the opponent and proponents for this case.

Mr. Clifton moved and Mr. Ponder seconded the motion, which passed unanimously, to approve the procedures for the Public Hearing for Item #3, E.S. Rose Park Improvements. **(8-0)**

Ms. Ann 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."

Mr. Loring moved and Ms. Cummings seconded the motion, which passed unanimously, to adopt the agenda. **(8-0)**

III. APPROVAL OF JULY 26, 2007, MINUTES

Mr. Loring moved and Mr. Clifton seconded the motion, which passed unanimously, to approve the July 26, 2007 minutes as presented. **(8-0)**

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Gilmore spoke in favor of Item #17, 89P-030U-03, Shops at Bordeaux, which was on the Consent Agenda for approval. She spoke of the support of the community members and requested its approval.

Councilmember Page spoke in favor of Item #2, 2007SP-126U-11, A&W Upholstery.

Councilmember Wallace spoke in favor of Item #7, 2007SP-015U-10, The Glen which was on the Consent Agenda for approval. He explained that a neighborhood meeting was held on this proposal and that he was in favor of its approval. He also stated that he was in support of the staff's recommendation to approve Item #3, 2007M-083U-10, E.S. Rose Park Improvement. He explained that along with the Commission's recommendation, the ultimate decision on this proposal should be made at the Council level.

Councilman Greer stated that he would address the Commission after his item was presented.

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

| | | | |
|----|---------------|--|--|
| 8. | 2007S-107U-12 | Caldwell Country Estates, Sec. 1, Resub. Lot 120 - Request for final plat approval to create 2 lots on property located at 243 Blackman Road | - deferred to August 23, 2008, at the request of the applicant |
|----|---------------|--|--|

Mr. Loring moved and Mr. Clifton seconded the motion, which passed unanimously, to approve the Deferred and Withdrawn items. **(8-0)**

VI. PUBLIC HEARING: CONSENT AGENDA

ZONING MAP AMENDMENTS

1. 2007SP-126U-11 A request to change from R6 to SP zoning to permit 4 single-family lots on property located at 1329 7th Avenue North, southwest corner of 7th Avenue North and Taylor Street. - Approve with conditions

| | | | |
|----|----------------|---|---------------------------|
| 4. | 2004NL-028U-10 | Clifton Lane - Request to revise the final development plan for a Neighborhood Landmark Overlay district on property located at 1100 Clifton Lane, to permit the construction of a 15' x 30' detached open carport. | - Approve with conditions |
| 5. | 2006SP-077G-13 | Rolling Hill Village - Request for final SP site plan approval for property located at 3485 Hamilton Church Road, to permit the development of 26 single-family lots, 17 cottage lots, and 8 townhouse units. | - Approve with conditions |
| 6. | 2006SP-135U-08 | A request for final SP site plan approval to permit the development of 10 townhome units on property located at 711 and 713 40th Avenue North, at the southwest corner of 40th Avenue North and Clifton Avenue. | - Approve with conditions |
| 7. | 2007SP-015U-10 | The Glen (formerly 18 th and Wedgewood) - Request for final SP site plan approval on property located at 1700 18th Avenue South, to permit the development of 38 multi-family units. | - Approve with conditions |

FINAL PLATS

| | | | |
|----|---------------|---|--|
| 8. | 2007S-107U-12 | Caldwell Country Estates, Sec. 1, Resub. Lot 120 - Request for final plat approval to create 2 lots on property located at 243 Blackman Road. | - Approve, including an exception to lot comparability and variances to Section 3-4.2.a and Section 3-4.2.f of the Subdivision Regulations |
| 9. | 2007S-198U-05 | M.P. Estes Subdivision, Lot 2 - Request for final plat approval to create 2 single family lots on property located at 1503 Porter Road. | - Approve with conditions |

REVISIONS AND FINAL DEVELOPMENT PLANS

| | | | |
|-----|---------------|--|---------------------------|
| 11. | 155-74-U-14 | Larchwood Commercials PUD (Thornton's) - Request for final approval for a portion of a Commercial Planned Unit Development district located at 714 Stewarts Ferry Pike, to permit the development of a 3,730 Square foot automobile convenience store with 20 gasoline pumps. | - Approve with conditions |
| 12. | 2005P-008G-06 | Harpeth Village PUD - Request to revise the preliminary plan for a portion of a Planned Unit Development located at 8000, 8002 and 8004 Highway 100, to permit two out parcels with 12,950 square feet of retail/restaurant uses and a financial institution. | - Approve with conditions |
| 13. | 2005P-010G-02 | Nashville Commons at Skyline - Request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development district located along the west side of Dickerson Pike, north of Doverside Drive, to increase the overall square footage from 684,977 to 691,783. | - Approve with conditions |

| | | | |
|-----|-------------|---|---------------------------|
| 14. | 58-85-P-12 | Brighton Village (Formerly Rucker Landing and Brentwood Midlands) - Request to revise the preliminary and for final approval for a Planned Unit Development located at 5442 and 5444 Edmondson Pike, to permit the development of 124 townhome units where 124 units were previously approved. | - Approve with conditions |
| 15. | 70-81-G-13 | Lakeshore Christian Church - Request for a revision to the preliminary plan and for final approval for a portion of the Planned Unit Development district located on property located at 5432 Bell Forge Lane, to permit the development of a religious institution, previously approved for 73,263 square feet of retail uses. | - Approve with conditions |
| 16. | 89P-003G-06 | Still Spring Ridge, Phase II - request to revise the preliminary for a portion of a Planned Unit Development located at Hicks Road (unnumbered), approximately 3,130 feet east of Sawyer Brown Road, to permit one single-family lot with a guesthouse, where a 10,000 square foot religious institution was previously approved. | - Approve with conditions |
| 17. | 89P-030U-03 | A request to amend a portion of the Planned Unit Development Overlay District on property located at 4148 Clarksville Pike, at the southeast corner of Clarksville Pike and Kings Lane, (4.05 acres), zoned CL, to permit the development of a 30,521 square foot recreation center (family life center) and 9,600 square feet of office uses, replacing retail uses. | - Approve with conditions |
| 18. | 98P-003G-06 | Bellevue Professional Park, Lot 3 (Waterford Assisted Living) - Request for final approval for a Planned Unit Development district located at 8118 B Sawyer Brown Road, to permit a 14,200 square foot addition consisting of 20 additional units for an existing assisted living facility. | - Approve with conditions |

OTHER BUSINESS

| | | |
|-----|--|-----------|
| 19. | Correction to May 22, 2003, Minutes | - Approve |
| 20. | Employee contract renewal for Joni Priest. | - Approve |

Ms. Jones moved and Mr. Ponder seconded the motion, which passed unanimously, to approve the Consent Agenda. **(8-0)**

Mr. McLean announced that Item #3, E.S. Rose Park Improvements would be heard first and requested that the applicant for this item announce how they would utilize their allotted time for this proposal.

Mr. Bernhardt explained that the staff presentation will include comments from Mr. Jim Lawson who was representing the Parks Department and Mr. Mark Macy, who was representing the Public Works Department

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

1. 2006SP-075U-08

Taylor Place SP

Map: 081-12 Parcel(s): 441

Subarea 8 (2002)

Council District 19 – Ludye Wallace

A request to change from R6 to SP zoning to permit 4 single-family lots on property located at 1329 7th Avenue North, southwest corner of 7th Avenue North and Taylor Street (0.18 acres), requested by Wilbur Smith and Associates for Ed Swinger, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary SP

Rezone 0.18 acres from One and Two-Family Residential (R6) to Specific Plan (SP) zoning property located at 1329 7th Avenue North, along the southwest corner of 7th Avenue North and Taylor Street to permit 4 single-family lots.

Existing Zoning

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

Proposed Zoning

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.

NORTH NASHVILLE COMMUNITY PLAN POLICY

Neighborhood Urban (NU) - NU policy 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 accompanying SP, 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 to the intent of the policy.

Germantown Detailed Neighborhood Design Plan

Mixed Live/Work (MLW) MLW is intended for primarily residential uses, while providing opportunities for small commercial establishments, mostly home-run professional or retail services.

History -This request was deferred at the July 26, 2007, Commission meeting to allow Planning Staff more time to review the newly proposed plan submitted on July 26, 2007, and to allow more time for a community meeting.

This request was previously disapproved by the Planning Commission on August 10, 2006, for the following

reasons: **“The proposed SP district is not consistent with the North Nashville Community Plan’s Neighborhood Urban structure plan, and the areas Mixed Live/Work detail plan. Both policies are intended for a mixture of residential and small commercial type uses. The proposed SP also does not provide adequate information.”**

The Metro Council deferred this item indefinitely on November 21, 2006, and referred it back to the Planning Commission. A new plan was submitted by the applicant in June 2007. The current request reduces the proposed number of lots from five lots to four lots.

Consistent with Policy? - Yes. The density of the proposed plan is consistent with the Mixed-Live-Work Policy intended for primarily residential uses.

Plan Details - The plan proposes four single-family homes with access, and four parking spaces, from an existing alley and two on-street spaces along 7th Avenue North. The frontage of the development is proposed along Taylor Street, while the corner lot will front both streets. The plan proposes a density of 22 units per acre, including three lots containing 1,307 sq. ft. and the corner lot containing 2,744 sq. ft.

Building Elevations - If approved, building architectural elevations must be submitted prior to or in conjunction with the final site plans.

MDHA Recommendation - The MDHA Design Review Committee has reviewed this preliminary plan and recommended approval with the condition that the residential setbacks along 7th Avenue North must be consistent with the existing setbacks along that street, or including mixed-use or live/work on the corner lot. If developed as mixed-use or live/work, the MDHA design review committee required the building on the corner lot to be brought to the corner.

Staff Recommendation - Staff recommends approval with conditions since the new plan for four single-family lots will allow for a 30 foot setback along 7th Avenue North and provides for a large enough lot area for the corner lot to front both Taylor Street and 7th Avenue North. The plan has also been revised to remove the note regarding mixed-use/live-work for the corner lot.

In addition, the proposed plan is consistent with the MDHA Design Review Committee recommendations. The MDHA design review committee recommended that if Lot D, the corner lot, remains single-family that it must meet the current setbacks of the homes along 7th Avenue North, which are approximately 30 feet.

As a condition of approval, architectural elevations and house plans shall be submitted for review and approval with the final site development plan. In addition, prior to approval of any building permits, the applicant must receive final approval of house plans from the MDHA design review committee. If the final site plan is not consistent with the preliminary development plan, Council approval of changes to the plan may be required.

RECENT REZONINGS - Yes. The Planning Commission recommended disapproval of a similar proposal with 5 lots on August 10, 2006.

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 plans for solid waste collection and disposal. Identify storage location.

Construct Alley along property frontage per Public Works' standards and specifications.

Plan proposes required parking on-street. Remove first parking space on 7th Avenue at Taylor Street. Provide minimum thirty feet separation from a crosswalk at an intersection.

Maximum Uses in Existing Zoning District: R6

| Land Use (ITE Code) | Acres | Density | Total Number of Lots | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|-----------------------------|-------|---------|----------------------|-----------------------|--------------|--------------|
| Single-family detached(210) | 0.18 | 6.18 | 1 | 10 | 1 | 2 |

Maximum Uses in Proposed Zoning District: SP

| Land Use (ITE Code) | Acres | Density | Total Number of Lots | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|-----------------------------|-------|---------|----------------------|-----------------------|--------------|--------------|
| Single-Family detached(210) | 0.18 | n/a | 4 | 39 | 3 | 5 |

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

| Land Use (ITE Code) | Acres | -- | | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|----|----|-----------------------|--------------|--------------|
| -- | | | +3 | 29 | 2 | 3 |

STORMWATER RECOMMENDATION - No Exception Taken

METRO SCHOOL BOARD REPORT

Projected student generation 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity - Students would attend Brookmeade Elementary School, Hill Middle School or Hillwood High School. All schools have been identified as having capacity by the Metro School Board. This information is based upon data from the school board last updated April 2007.

CONDITIONS

- As a part of the final SP site plan approval, a separate, detailed landscaping plan, house plans and architectural elevations must be submitted for review and approval.
- 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, which must be shown on the plan.
- 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 utilizing the approved design 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.

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.

Approve with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-271

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-075U-08 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. As a part of the final SP site plan approval, a separate, detailed landscaping plan, house plans and architectural elevations must be submitted for review and approval.
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, 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 utilizing the approved design 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 district is consistent with the North Nashville Community Plan's Neighborhood Urban policy and the Mixed Live/Work detailed policy, which are intended for predominately residential uses with an added live/work component.”

2. **2007SP-126U-11**
A&W Upholstery SP (Preliminary and Final Site Plan)
Map: 133-05 Parcel(s): 052
Subarea 11 (1999)
Council District 16 – Anna Page

A request to change 0.34 acres from Office/Residential (OR20) to Specific Plan (SP) zoning property located at 429 Veritas Street for development plan and final site plan approval to permit the existing 2,800 sq. ft. building to be used for one single-family dwelling, general office, or light manufacturing/general retail to permit one upholstery shop only, requested by Dennis Ray Austin, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Preliminary Development Plan and Final Site Plan

A request to change 0.34 acres from Office/Residential (OR20) to Specific Plan (SP) zoning property located at 429 Veritas Street for preliminary development plan and final site plan approval to permit the existing 2,800 sq. ft. building to be used for one single-family dwelling, general office, or light manufacturing/general retail to permit one upholstery shop only.

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.

SOUTH NASHVILLE COMMUNITY PLAN

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

Office Transition (OT) - OT policy is intended for small offices intended to serve as a transition between lower and higher intensity uses where there are no suitable natural features that can be used as buffers. Generally, transitional offices are used between residential and commercial areas. The predominant land use in OT areas is low-rise, low intensity offices.

The property is currently being used for an upholstery shop and has been cited by the Codes Department for being out of compliance with the existing OR20 zoning. The proposed SP plan, which would allow the upholstery shop to remain on this property, recognizes the existing land use and limits the expansion of the uses and the square footage of the building. This SP only allows general office uses, which are consistent with the OT policy, and an upholstery shop.

Proposed SP And Final Site Plan Development Plan

- Permitted Uses: Any use permitted by OR20; or light manufacturing and general retail to permit an upholstery shop only.
- Existing 2,800 sq. ft. building to remain. The plan allows a maximum of 900 sq. ft. of retail space for an upholstery shop within the existing building. Any additions or exterior alterations will require approval by the Planning Commission, and may require Council approval if the Planning Director deems necessary.
- There shall be no outdoor storage (excluding that needed for normal day-to-day pick-up and delivery).
- There shall be no outdoor sales or display of goods.
- Monument style signage only. Signage will be limited to a maximum of one 3 foot tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone.
- Development phasing and construction schedule: waived.
- Development standards for OR20 zoning shall apply for any standards not specifically referenced in this Specific Plan.
- Required off-street parking: one parking space per 1,500 sq. ft. for light manufacturing uses; and 1 parking space per 200 sq. ft. of retail uses. Existing parking meets the requirement with 8 total spaces.
- All existing landscaping shall remain.
- The front yard along Veritas Street shall be enhanced to include 2 to 4 shrubs along the building façade and a minimum of two additional trees in the front yard.
- The existing on-site pavement at the corner of Veritas Street and Keystone Avenue shall be removed so as to eliminate the existing, northernmost driveway onto Keystone Avenue. This corner shall be restored to grass to enhance the frontage along Veritas Street.
- All parking areas shall be paved with asphalt.
- The existing cinder-block wall in front of the garage doors shall be upgraded to brick or stone with a minimum height of 30 inches and a maximum height of 4 feet.
- No chain link fence.

Consistent with Policy? The proposed plan includes uses that are consistent with the OT Policy area, including general office and single-family residential; however, it also includes an upholstery shop with an associated retail use where fabrics are sold. The Office Transition policy is intended to provide transition and buffering at the interface of residential and incompatible nonresidential uses to either prevent or mitigate land use conflicts. In this case, the OT policy provides a transition between the industrial uses to the south along Allied Drive and the residential uses north of Veritas Street.

This property sits at the southeast corner of Veritas Street and Keystone Avenue between property zoned industrial to the south and property zoned residential to the north. Because this site, and the property across Keystone Avenue on the southwest corner, is in the closest location to the industrial uses to the south, staff supports very limited retail uses which are accessory to the upholstery shop use at this location. Staff would not support any encroachment of commercial uses along Veritas Street or north of Veritas Street on Keystone Avenue. The proposed SP also maintains the existing residential building façade, thus, keeping a residential appearance along Veritas Street. It also keeps the scale of the building compatible with the scale of the single-family homes in the area. The upholstery shop use will be in the existing building. This SP allows for the change of use, but the exterior structure remains the same.

The South Nashville Community Plan states: “This plan strongly recommends that the north side of Veritas Street remain in strictly residential uses and that small office type uses compatible in scale with single-family homes be encouraged to locate on the south side of the street” (page 58). Although this SP includes uses other than office, it does maintain the scale and residential appearance along Veritas Street, as the existing building is to remain.

Staff Recommendation -Staff recommends approval since the SP plan provides a transitional use between the industrial and residential at a unique corner location, and since the upholstery shop will be oriented toward Keystone Avenue, not Veritas Street.

RECENT REZONINGS -None

PUBLIC WORKS RECOMMENDATION

Typical 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) | 0.34 | 0.230 | 3,406 | 38 | 6 | 6 |

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 |
|---------------------|-------|-------|-------------------|-----------------------|--------------|--------------|
| General Office(710) | 0.34 | 0.230 | 3,406 | 38 | 6 | 6 |

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

| Land Use (ITE Code) | Acres | FAR | Total Square Feet | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-----|-------------------|-----------------------|--------------|--------------|
| -- | | | | 0 | 0 | 0 |

CONDITIONS

1. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning. 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 as the final site plan. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. Permitted Uses: Any use permitted by OR20; or light manufacturing and general retail to permit an upholstery shop only.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the OR20 zoning districts at the effective date of this ordinance.
4. There shall be no outdoor storage (excluding that needed for normal day-to-day pick-up and delivery).
5. All existing landscaping shall remain.
6. The front yard along Veritas Street shall be enhanced to include 2 to 4 shrubs along the building façade and a minimum of two additional trees in the yard. New landscaping shall be planted within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.
7. The existing pavement on-site at the corner of Veritas Street and Keystone shall be removed so as to eliminate the existing, northernmost driveway onto Keystone Avenue. This corner shall be restored to grass to enhance the frontage along Veritas Street. Pavement shall be removed and replanted within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.
8. All parking areas shall be paved with asphalt. Existing gravel area shall be paved within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.
9. The existing cinder-block knee wall in front of the garage doors shall be upgraded to brick or stone with a minimum height of 30 inches and a maximum height of 4 feet within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.

10. There shall be no outdoor sales or display of goods.
11. Monument style signage shall only be permitted. Signage shall be limited to a maximum of one, 3 foot tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone.
12. Required off-street parking includes one parking space per 1,500 sq. ft. for light manufacturing uses; and 1 parking space per 200 sq. ft. of retail uses.
13. No chain link fence allowed on-site.
14. 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.

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

Mr. Dennis Austin spoke in favor of the proposal.

Mr. Clifton and Ms. Cummings seconded the motion, which passed unanimously, to approve with conditions Zone Change 2007SP-126U-11. (7-0)

Resolution No. BL2007-272

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-126U-11 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning. 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 as the final site plan. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. Permitted Uses: Any use permitted by OR20; or light manufacturing and general retail to permit an upholstery shop only.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the OR20 zoning districts at the effective date of this ordinance.
4. There shall be no outdoor storage (excluding that needed for normal day-to-day pick-up and delivery).
5. All existing landscaping shall remain.
6. The front yard along Veritas Street shall be enhanced to include 2 to 4 shrubs along the building façade and a minimum of two additional trees in the yard. New landscaping shall be planted within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.

7. The existing pavement on-site at the corner of Veritas Street and Keystone shall be removed so as to eliminate the existing, northernmost driveway onto Keystone Avenue. This corner shall be restored to grass to enhance the frontage along Veritas Street. Pavement shall be removed and replanted within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.
8. All parking areas shall be paved with asphalt. Existing gravel area shall be paved within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.
9. The existing cinder-block knee wall in front of the garage doors shall be upgraded to brick or stone with a minimum height of 30 inches and a maximum height of 4 feet within 120 days of the effective date of the ordinance and prior to the issuance of any final use and occupancy permit.
10. There shall be no outdoor sales or display of goods.
11. Monument style signage shall only be permitted. Signage shall be limited to a maximum of one, 3 foot tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone.
12. Required off-street parking includes one parking space per 1,500 sq. ft. for light manufacturing uses; and 1 parking space per 200 sq. ft. of retail uses.
13. No chain link fence allowed on-site.
14. 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.

The proposed SP is consistent with the South Nashville Community Plan's Office Transition policy, as it will provide appropriate transition from the adjacent industrial policy to the south of this property and the residential policy along Veritas Street."

3. **2007M-083U-10**
E. S. Rose Park Improvement by Belmont University
Map 105-1, Parcel 491
Subarea 10 (2005)
District 19 - Wallace

Review and Advise Metropolitan Council on Proposed Lease Agreement Between Belmont University and the Metro Department of Parks and Recreation Regarding Construction of Athletic Facilities in E. S. Rose Park and Belmont University's Use of Those Facilities.

Staff Recommendation: Approve With Conditions as follows: 1) the proposal is favorably recommended by the Metro Traffic Engineer and 2) provisions are included in the lease reflecting the recommendations of the Metro Traffic Engineer regarding traffic, parking and pedestrian improvements and Belmont University's role and responsibilities regarding those recommendations.

APPLICANT REQUEST -Review and Advise Metropolitan Council on Proposed Lease Agreement Between Belmont University and the Metro Department of Parks and Recreation Regarding Construction of Athletic Facilities in E. S. Rose Park and Belmont University's Use of Those Facilities.

SUMMARY OF KEY FINDINGS

Land Use Policy Athletic fields are among the types of facilities generally supported by parks and open space

policy. Like all recreational facilities, the appropriateness of athletic fields in a specific location is subject to the suitability of that location for the particular facilities proposed.

Site Suitability - Site size and shape are sufficient to accommodate the proposed facilities. Topography is a modest constraint along the northern edge of the proposed fields; elsewhere it is not an issue.

Impacts on Surrounding Land Uses - With proper design, buffering and operational safeguards, the proposed facilities should not unreasonably impair the surrounding area's integrity or suitability for long-term residential use. The impacts of increased noise and enhanced lighting on nearby uses are addressed in the lease. A supplement to this report regarding impacts related to traffic and parking will be provided upon receipt and review of comments from Public Works regarding the traffic impact study, which is currently being evaluated.

Impacts on Infrastructure - The proposal will be subject to storm water management regulations and the requirements of Metro Water Services regarding any needed off-site water or sanitary sewer facilities. The affects of the proposal on traffic, parking, and pedestrians are analyzed in a traffic impact study prepared by the applicant and reviewed by the Metro Traffic Engineer. See comments in above paragraph regarding the traffic impact study currently under review by Public Works.

BACKGROUND - The Planning Commission's consideration of this proposal is mandated by the Metro Charter, which states: ". . . if the Metro Planning Commission has adopted a general plan for an area, then the construction of any public use or structure, or the lease of any public place or structure, shall be subject to approval by the Metro Planning Commission as to location and extent thereof . . ."

The subject site is a community park owned by the Metropolitan Government under the control of the Metropolitan Board of Parks and Recreation. Belmont University is proposing to build three tournament-caliber athletic fields and related accessories to replace two existing ball fields. The Metropolitan Government would own the facilities and all other improvements subject to the lease agreement and would have full control over scheduling the use of the facilities. Through the proposed lease agreement, the university would have the right to use the proposed facilities part-time for NCAA sports events, related practices, sports camps, and potentially other non-NCAA events.

The proposed improvements include:

- 1) an 8-lane track and multi-purpose field for soccer, football and track & field events, with seating for 300;
- 2) a baseball field with seating for 500, expandable in the future to seat 750;
- 3) a softball field with seating for 250;
- 4) a "field house" to house concessions, restrooms and locker facilities; and,
- 5) walking trails connecting on-site facilities and abutting schools and public ways.

The Metropolitan Department of Parks and Recreation has been a partner working with Belmont University on this proposal from its inception almost two years ago to address and resolve issues that have arisen throughout the process. Their efforts also included extensive interaction with those potentially affected by the proposal. Several community meetings were held, the proposal was publicly discussed at four Parks Board meetings, and extensive communication has occurred with the public and private entities that currently utilize the park. At their requests, Planning Department staff met and discussed the proposal with representatives of the proposed lease and with a group representing Organized Neighbors of Edgehill (O.N.E.), which has expressed its opposition to the proposal from the beginning. Those interests also provided written and graphic information related to the proposal to staff. The lease agreement has been approved by the Parks Board; the Metropolitan Council must also approve it.

ANALYSIS

Applicable Plans and Policies - Community and neighborhood plans adopted by the Metropolitan Planning Commission provide the goals and land use policy guidance for recreational open space. The focus of these plans is mainly to recognize the locations of broad types of existing and planned public parks and open space. Community and neighborhood plans do not address the development or functionality of specific parks, which is determined by the Metro Parks Department. The key land use issue raised by the proposed lease is the suitability of the park for the level of activity that will result from the use of the improvements contemplated in the lease. It should be noted that the suitability question would be the same for an all-public or all-private recreational complex that did not involve a lease.

The goals, plans and policies adopted by the Metropolitan Board of Parks and Recreation guide the development, use and operation of public parkland. The Parks Department's goals, plans and policies serve to accomplish the Department's mission: developing and operating the parks and recreation system for the entire community. While one major function of public parks is to provide places for unstructured active and passive recreation, another traditional function is the use of public parks for structured programs sponsored by both public and private entities. Private organizations with ongoing sports programs and private entities that conduct occasional special events work regularly with the Parks Department for "scheduled" time and use of parks or certain facilities in them.

The goals, policies and considerations of both departments are valid, but, at times they may not be in complete harmony. When there are apparent conflicts between appropriate land use and the provision of parks and recreation for the community, the Departments work to find compromise, with Metro Parks Department determining the appropriate range of activities and accompanying facilities and Metro Planning Department providing guidance on how the additional uses and facilities can be designed to mitigate the potential effects on the surrounding area.

Community Plan Policy -E. S. Rose Park, the abutting Carter-Lawrence School to the west and Rose Park School to the east are all designated Open Space (OS) on the community-wide land use policy plan in the *Green Hills – Midtown Community Plan: 2005 Update* (July 28, 2005). Open Space (OS) is a policy category applied to three broad groups of uses: 1) public parks and open spaces; 2) public civic activities such as schools, libraries and safety services; and, 3) large public and non-public cemeteries and land trusts—activities that are very "open" and passive in character. The intent for public sites with OS policy is either continuation of the existing public use or creation of another public use—for example, an existing park remaining a park or the site of a closed school being converted to a park. In this case, the intent for the existing E. S. Rose Park is that it remains a community park.

Detailed Neighborhood Design Plan Policy -On the Detailed Land Use Plan in the *Edgehill Detailed Neighborhood Design Plan* (also July 28, 2005), E. S. Rose Park is designated Parks Reserves and Other Open Space (PR) land use policy, distinguishing it from Carter-Lawrence and Rose Park schools, which are designated "Civic or Public Benefit (CPB) policy. PR land use policy is applied in DNDPs to the first of the three broad use groups of open space uses described above, plus large public and private natural preserves and land trusts. The intent for areas designated PR policy is to preserve the existing public use if it is a park or open space, or, convert it to a park or open space if it is currently a different use. A stated general goal of the DNDP pertinent to E. S. Rose Park is: "Encourage and provide locations for a range of public spaces for passive and active recreational use by the residents of the neighborhood."

Appropriate Uses in OS/PR Policy - Appropriate uses in areas of OS/PR policy range from undisturbed natural areas to intensively used areas for spontaneous recreation, organized sports for all ages, special events, and unique cultural and recreational activities.

The appropriateness of particular uses in individual OS/PR policy areas depends on the suitability of the site to accommodate those uses as determined by Metro Parks, and the ability to adequately address the off-site impacts these uses have on surrounding land uses and the public facilities needed to support them as determined by Metro Planning, Public Works, Water Services and other departments where applicable.

Fields for various outdoor sports are clearly among the kinds of recreational facilities that are appropriate in public parks. Baseball fields are common in public parks of all sizes—at least 25 of Metro's 94 parks have one or more baseball fields. There are softball fields in at least ten Metro parks, eight of which also have baseball fields. Soccer fields are rare; only three parks contain them. There are no track facilities in metro parks.

The community plan reinforces the *Metropolitan Parks and Greenways Master Plan* (November 2002) regarding the community's public parks and open spaces. The community plan also can and often does supplement those plans with recommendations for additional parks and open space sites.

OS and PR policy clearly support athletic fields for public use. Both policies are silent on public-private partnerships. Neither the Community Plan nor the Neighborhood Plan contains any park-specific recommendations regarding the use or development of E. S. Rose Park.

Park Plans Affecting Land Use -The *Metropolitan Parks and Greenways Master Plan* (November 2002) contains extensive general information and guidance for community parks. Community parks serve several neighborhoods and typically focus on providing intensive active recreational facilities, including tennis and basketball courts, soccer/football fields, and community centers with indoor gymnasiums. The only park-specific recommendation for the use and development of E. S. Rose Park is renovation of the community center.

Objective 3.6 in the Parks Master Plan advocates preparation of park-specific master site development plans. For long range capital budgeting purposes, a draft conceptual plan was prepared by Metro Parks for E.S. Rose Park prior to the introduction of the subject proposed lease. Based on that draft plan, the community center was recently renovated and budget projections were made for various improvements to the park's existing facilities. Those improvements included improved baseball and softball fields and a new multi-purpose soccer field.

The overall Parks Master Plan does address public/private partnerships with regard to parks. Objective 4.4 in the Parks Master Plan states: "Maintain and expand the network of partnerships that share similar goals and resources. Action 4.4.2 under that objective states: "Develop new partnerships with organizations that can benefit Metro in system growth, operations and positive publicity."

Major Physical Environmental

Constraints - The site is hilly and would require cutting and filling in several areas to accommodate the proposed facilities. All development would be subject to applicable storm water management regulations.

Setbacks -A 100-ft. setback is a requirement applicable to recreation center buildings and outdoor storage areas next to residential districts or districts permitting residential uses. According to the Codes staff, this does not apply to the proposed athletic fields. No other proposed buildings are within the setback area.

Access -The site exceeds the access requirement for a recreation center which is: "minimum access to a collector." The park currently has vehicular access from 12th Ave. S., a major street and Edgehill Ave., a collector street, in addition to Olympic St., which is a local road. The park currently has two accesses onto Edgehill Ave. In addition, 8th Ave. S., Edgehill Ave. and 12th Ave. S. are all transit routes and are within convenient walking distance of the park.

Traffic and Parking - Supplemental traffic and parking information based on review of the applicant's Traffic Impact Study by Metro Public Works will be provided to the Commission at or before the August 9 Commission meeting.

Land Use Impacts: Rose Park School is the off-site use that would be the most directly impacted in terms of proximity to the proposed facilities. At its closest point, the existing baseball field is about 160 ft. from Rose Park School and its bleachers are about 300 ft. away. The southeastern outer corner of the proposed baseball field would be about 25 ft. from the western side of the school and the bleachers nearest to the school would be about 125 ft. away. A retractable net is proposed to keep baseballs in the field. The proposal could result in increased noise impacts due to the closer proximity and greater number of new bleacher seats and if the proposal results in more events being scheduled and/or greater attendance at games while school is in session. Adverse impacts could be mitigated, to a degree, through scheduling. Metro Schools has been involved in the discussion regarding the proposed additional facilities. Metro Schools is aware of the land use impacts noted above and has indicated that these issues are being adequately addressed. The lease specifies that "sound amplification during evening events shall comply with applicable laws, and all amplification shall be turned off by 10:00 p.m."

There currently is lighting in the park. The closest homes most directly affected are those to the north along Archer St. Those homes would be about 270 ft. from the proposed track & field bleachers. The proposal includes new lighting for the park. A photometric study was conducted by the Parks Department to address potential light impacts. The lease provides that "high quality lighting technology shall be used that minimizes light pollution and spillage onto adjacent properties." It also calls for Belmont events to start in time to be completed and lights turned off by 10:30 p.m.

Currently, the park provides a combination of services including a community center, pool, and venue for unstructured active and passive recreation serving area patrons; recreation facilities for the abutting schools,

community-oriented organized sports and some organized sports programs reaching beyond the immediate community. The existing softball and baseball fields occupy about 17 percent of the park. Scattered over about a third of the park are parking lots, basketball courts, a playground, a swimming pool and the community center, leaving about half of the park in open space.

The most significant physical land use change resulting from the proposal would be an increase in the portion of the park covered by sports fields from about 17 to an estimated 44 percent, reducing the unprogrammed open space to about one-fourth of the site. With the proposed facilities, the only sizeable contiguous area of open space would be the roughly six-acre linear area in the northern section of the park between Olympic St. on the east side and the existing playground on the west side. It is also the hilliest section of the park. The proposed athletic fields would be available for unstructured use when they are not being used for scheduled activities, as is the case today. In addition, a system of walking trails would be added to improve the quality of unprogrammed space.

The primary effect of the proposal on the use of the park will be with the provision of better lighting and bleacher seating, a facility that is potentially used more intensively and extensively for organized sports programs on the weekends and evenings.

Impacts related to traffic and parking will be addressed in the supplemental report upon receipt of comments from Public Works.

Conclusion - Land use policy regarding the proposed recreation center is not an issue per se. The site currently contains lighted ball fields and a community center, both of which are types of recreation centers commonly found in parks. Street and transit access to the site are both good. Pedestrian facilities are not issues, except for pedestrian safety at crosswalks in general and particularly involving school students.

The added lights and noise could have a slight negative impact on the surrounding area's current livability. With appropriate limitations on the intensity of use and adequate design and safeguards, which are included in the lease, the uses proposed should not unreasonably impair the surrounding area's integrity or suitability for long-term residential use.

The proposed facilities would be a clear benefit and asset to Nashville's parks and recreation system and contribute to fulfillment of certain goals and objectives. Among the potential beneficiaries are residents of the surrounding community and throughout Nashville who participate in the existing sports programs. They would have new tournament-class facilities to use. Others who would benefit include residents and visitors who participate in any new Park's Department sponsored activities scheduled for the park, and Belmont University and all who participate in its activities and events as both athletes and spectators.

The proposal will result in less community park open space available for casual use by patrons from the surrounding neighborhood, however, open space will be enhanced by new walking trails and the multi-purpose field that will add opportunities for unstructured community use.

Mr. Eadler presented and stated that staff is recommending approval which includes the recommendations of the traffic impact study as modified by the Metro Traffic Engineers.

Mr. Jim Lawson, Metro Parks Board member, spoke in favor of the proposal. He offered that the Parks and Recreation Board encourages the Commission to adopt the staff recommendation and to approve.

Mr. Mark Macy, Public Works Engineer Director, spoke in favor of the proposal. He offered that his department reviewed the Traffic Impact Study and is in concurrence with the staff's recommendation to approve.

Ms. Susan West, 1900 Belmont Blvd., spoke in favor of the proposal.

Ms. Betty Wiseman, 1900 Belmont Blvd., spoke in favor of the proposal.

Mr. Gary Hunter, 4144 W. Hamilton Road, spoke in favor of the proposal.

Ms. Kenisha Rhone, 1171 Nashboro Blvd., spoke in favor of the proposal.

Rev. Vincent Campbell, 1025 12th Avenue South, spoke in favor of the proposal. He submitted a letter to the Commission for the record.

Ms. Laquita Steward-Smith, 1003 Edgehill, spoke in opposition to the proposal. She submitted a CD of photos to the Commission for the record.

Ms. Arlene Lane, 911 Benton Avenue, spoke in opposition to the proposal.

Mr. Joe Johnston, 2815 Belmont Blvd., spoke in opposition to the proposal. He presented information to the Commission for the record.

Ms. Donna Crawford, 1510 Villa Place, spoke in opposition to the proposal.

Ms. Bettye Jean Forrester, 1410 Villa Place, spoke in opposition to the proposal.

Mr. Bill Barnes, 1023 Battlefield Drive, spoke in opposition to the proposal.

Mr. John Moore, 1010 Villa Place, spoke in opposition to the proposal.

Ms. Janet Parham, 1226 Villa Place, expressed issues with the proposal.

Ms. Diane Marver, 2106 Sharondale Drive, spoke in opposition to the proposal.

Mr. Won Chei, 226 3rd Avenue North, spoke in opposition to the proposal.

Mr. Loring left the meeting at 5:05 p.m.

Mr. Jason Rodgers, 1900 Belmont Blvd., in rebuttal, spoke in favor of the proposal.

Dr. Bob Fisher, 2701 Belmont Blvd., in rebuttal, spoke in favor of the proposal.

Councilman Greer stated he was not going to make a recommendation either way on this proposal. He spoke of the lack of information or misinformation contained in the proposal which may have caused a bad reflection of the benefits this proposal could have for the area residents.

Councilwoman Hausser-Pepper spoke of the difficulties associated with the proposal. She mentioned that several meetings had been held in order to reach a compromise between the University and the area residents. She stated she and Councilman Wallace would continue working with all involved parties through the end of their terms. She also stated that if the Commission were to approve the proposal that a condition be added requesting that Public Works re-review the traffic impact study in certain areas of the proposal that could be considered safety issues.

Mr. Clifton requested clarification on the control of scheduling of events for both Belmont University and area residents.

Mr. Lawson offered that based on other public/private partnerships the City has with private entities, it was his estimate that Belmont would only be utilizing the park 25 to 30 percent of the time. The balance of the time would be left for the community.

Mr. Clifton requested clarification regarding the lighting and its affect on the surrounding community.

Mr. Eadler explained that the park would contain high-tech lighting that would be directed at the fields causing minimal spillage into the surrounding community.

Mr. Clifton questioned whether the fields could be used simultaneously by the community when Belmont was using the fields.

Mr. Lawson responded to this question, however his response was inaudible.

Mr. Clifton questioned termination of the lease and how it could be obtained.

Mr. Lawson stated that the Parks Department could terminate the lease if certain conditions were not met and it was warranted.

Ms. Cummings offered she has great respect for Belmont University, and was impressed with private entities entering partnerships with Metro. However, she expressed concerns with the total amount of open green space that would be lost due to the construction of athletic fields for Belmont. She further expressed concerns with the fact that the only open acreage for community use was in an area not conducive for community activities. She also stated that the sound and lighting of the fields could be considered an issue due to the close proximity of residential homes.

Mr. Tyler requested clarification on the proposed construction included in this proposal.

Mr. Eadler explained this concept to the Commission.

Mr. Tyler requested additional information on parking conditions for the proposed facility.

Mr. Jeff Hammond, a traffic consultant, stated that with the improvements and redevelopment of the park there would be 220 parking spaces. He further explained these parking spaces would be distributed throughout the site.

Mr. Tyler then requested clarification on the traffic study that was provided for this proposal.

Mr. Hammond offered that the limits of the study included 12th Avenue on the west, 8th Avenue on the east, Archer Street to the North and Edgehill on the South. He stated that the study looked at the impacts this proposal would have on vehicular and pedestrian traffic, as well as parking.

Mr. Tyler requested clarification regarding on-street parking.

Mr. Hammond stated that there was existing on-street parking on 9th Avenue and that it was not considered as part of the redevelopment plan as it was mainly used as a drop-off site for those using the park.

Mr. Tyler expressed issues with the change this public facility will encounter.

Ms. Beehan requested clarification regarding information that was provided to the Commission that spoke of an analysis presented to the Metro Parks Board in January of 2007.

Mr. Morrissey stated that staff could not respond to this due to the fact they were not present at the Parks meeting and that the document provided to the Commission was not from the staff or the Legal Department.

Ms. Beehan spoke of items that were mentioned in this document that spoke of conflicts between public and private use of parks.

Ms. Beehan requested clarification on the adoption of the Edgehill Detailed Neighborhood Design Plan and its inclusion of this park.

Mr. Eadler explained this concept to the Commission.

Ms. Beehan questioned whether the Edgehill Detailed Neighborhood Design Plan was explained to Belmont when they first inquired about this proposal.

Mr. Eadler stated that he was first made aware of this proposal in January of 2007.

Ms. Beehan then questioned the long term improvements that would be needed for this proposed development and whether there would be allocations for improvements.

Mr. Lawson explained this concept to the Commission.

Mr. Ponder questioned whether existing current activities that take place in the park would continue or would they be moved elsewhere.

Mr. Lawson stated that it would be up to the Parks staff to minimize interruption of the park's uses during construction.

Mr. Ponder then requested further clarification regarding the control of the use of the proposed facility.

Mr. Lawson stated that the control of uses of this facility remain solely with the Metro Parks Department. He stated that all scheduling of the facility has to be approved by the Parks Department and if conflicts arise, they would have to be worked out at the Community Center.

Mr. Ponder questioned whether there was any positive feedback provided from the Community that was used to create any of the proposed recommendations.

Mr. Eadler explained the staff's involvement with the proposal to the Commission.

Mr. Ponder questioned the legality of the proposal and whether there were issues with the arrangement.

Mr. Morrissey stated he could not speak to the legal issues of the document however, he stated that the City currently has agreements with other entities and other parks, such as Shelby Park.

Mr. Lawson stated that Metro Legal has been included throughout the development of the proposed lease and that the lease is similar to other agreements the City has with other entities. He mentioned various aspects that Metro Legal reviewed more intensely in order to protect the assets of the City.

Mr. Ponder pointed out the positive aspects of the proposed development.

Ms. Jones requested clarification regarding the uses of area schools and the park.

Mr. Lawson stated that the Board of Education has endorsed the enhancements of Rose Park and briefly explained their endorsements.

Ms. Jones offered that the Commission's role regarding this request should be based on whether the proposal is appropriate for the land use policy for the area.

Ms. Jones moved and Mr. Ponder seconded the motion, to approve with conditions mandatory referral 2007M-083U-10.

Mr. Clifton expressed his concerns regarding the complexity of this request and listed both disadvantages as well as advantages. He then stated he would be in favor of approving the request due to the overall enhancements for the park.

Ms. Cummings expressed issues with the lack of communication Belmont has given to the community. She offered that a copy of the petition that was included in a document from an outside source should be included at the Council level. She urged that Belmont become a good neighbor with the community.

Ms. Beehan requested that the motion be amended to include a condition that the traffic study be re-visited to include Edgehill and 12th Avenue.

Ms. Jones agreed to amend the motion, and Mr. Ponder seconded the amendment.

Ms. Jones moved and Mr. Ponder seconded the motion to approve the lease as consistent with the general plan with the following amendments: 1) inclusion of the seven specific recommendations of the TIS report dated August, 2007; 2) inclusion of the clarifications of the Metro Traffic Engineer to the TIS as follows:

- When Belmont activities overlap with the dismissal time for Carter Lawrence Elementary School, the planned connections between the Carter Lawrence Elementary School access drive on Edgehill Avenue and the proposed 70 space parking area, as well as, the Olympic Street parking area north of the school shall be restricted in order to minimize conflicts.
 - Active traffic management shall be provided at the entrance and exit to Carter Lawrence Elementary School on Edgehill Avenue during dismissal time when school dismissal overlaps with Belmont activities.
 - When more than one Belmont competitive activity is occurring or when any single Belmont activity is expected to draw in excess of 500 patrons, shuttle service to and from Belmont University shall be provided. An appropriate drop off and pick up area shall be provided in one of the Rose Park parking lots.
- and 3) expansion of the TIS by the applicant to fully analyze the impact of all additional traffic generated as a result of this lease moving from the Belmont University campus to the site and inclusion of any additional recommendations made by the Metro Traffic Engineer based on this additional analysis **(4-3) No Votes – Cummings, Tyler, Beehan**

Resolution No. BL2007-273

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007M-083U-10 is **APPROVED LEASE AS CONSISTENT WITH THE GENERAL PLAN WITH THE FOLLOWING AMENDMENTS:**

- 1. Inclusion of the seven specific recommendations of the TIS report dated August 2007.**
- 2. Inclusion of the clarifications of the Metro Traffic Engineer to the TIS as follows:**
 - a. When Belmont activities overlap with the dismissal time for Carter Lawrence Elementary School, the planned connections between the Carter Lawrence Elementary School access drive on Edgehill Avenue and the proposed 70 space parking area, as well as, the Olympic Street parking area north of the school shall be restricted in order to minimize conflicts.**
 - b. Active traffic management shall be provided at the entrance and exit to Carter Lawrence Elementary School on Edgehill Avenue during dismissal time when school dismissal overlaps with Belmont activities.**
 - c. When more than one Belmont competitive activity is occurring or when any single Belmont activity is expected to draw in excess of 500 patrons, shuttle service to and from Belmont University shall be provided. An appropriate drop off and pick up area shall be provided in one of the Rose Park parking lots.**
- 3. Expansion of the TIS by applicant to fully analyze the impact of all additional traffic generated as a result of this lease moving from the Belmont University campus to the site and inclusion of any additional recommendations made by the Metro Traffic Engineer based on this additional analysis. (4-3)**

VII. PUBLIC HEARING: ZONING MAP AMENDMENTS

4. 2004NL-028U-10

Clifton Lane

Map: 118-09 Parcel(s): 015

Subarea 10 (2005)

Council District 25 – Jim Shulman

A request to revise the final development plan for a Neighborhood Landmark Overlay district on property located at 1100 Clifton Lane, zoned R10 (0.72 acres) to permit the construction of a 15' x 30' detached open carport, requested by Catherine Snow and Douglas Knight, owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Revise Final Development Plan

A request to revise the final development plan for a Neighborhood Landmark Overlay district on property located at 1100 Clifton Lane, zoned R10 (0.72 acres), to permit the construction of a 15' x 30' detached open carport.

PLAN DETAILS

Site Plan - The plan calls for a 15' x 30' detached open carport totaling 450 square feet of covered area. The proposed carport will be located northwest of the main structure approximately 5 feet from the western property line. Elevations have been provided and are compatible with the main structure. Elevations have been approved by planning staff and do not have a negative impact on the main structure.

As the proposed carport is within 10 feet of the property line, the Fire Marshal requires that it be constructed of materials with at least a one-hour fire rating.

Original Plan - The Neighborhood Landmark Overlay reserves and protects landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood. In this case, a Queen Anne-style home that was built in the late 19th century, and a carriage house was preserved. The Planning Commission recommended approval of the Neighborhood Landmark Overlay district for this property and Council approved it in 2005 (Bill 2005-603).

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

PUBLIC WORKSRECOMMENDATION - No Exceptions Taken

STORMWATER RECOMMENDATION - No Exceptions Taken

CONDITIONS

1. As specified in the Fire Code, the structure shall be constructed of material with a one - hour fire rating or other material specified by the Fire Marshal's office.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-274

“BE IT RESOLVED by The Metropolitan Planning Commission that 2004NL-028U-10 is **APPROVED WITH CONDITIONS. (8-0)**”

Condition of Approval:

1. As specified in the Fire Code, the structure shall be constructed of material with a one - hour fire rating or other material specified by the Fire Marshal's office.”

5. 2006SP-077G-13
Rolling Hill Village SP (Final Site Plan)
Map: 164-00 Parcel(s): 062
Subarea 13 (2003)
Council District 33 – Robert Duvall

A request for final SP site plan approval to permit the development of 26 single-family lots, 17 cottage lots, and 8 townhouse units on property located at 3485 Hamilton Church Road, approximately 1,150 feet west of Hobson Pike (11.93 acres), requested by MEC, Inc., applicant, for Jack Williams Construction, Inc., owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Final SP

A request for approval of a final Specific Plan (SP) site plan to permit the development of 26 single-family lots, 17 cottage lots, and 8 townhome units on property located at 3485 Hamilton Church Road, approximately 1,150 feet west of Hobson Pike (11.93 acres).

PLAN DETAILS -The final site plan consists of 51 dwelling units at an overall density of 4.27 units per acre. The housing mix includes 8 townhouses with rear access, 17 cottage lots and 26 house lots. With the exception of the townhomes that will front open space, the other lots will have street frontage.

The site is accessible by Hamilton Church Road and future connections are planned in all directions. Access to units will be provided from new public streets and alleys.

Open Space -A total of 2.56 acres, 21 percent of the total site will be open space. A majority of the open space is along proposed public streets and will be easily accessible to residents.

Landscape/Buffer Yards -Landscape buffer yards are not proposed, and because this is an SP they are not required. Since this area is in a Neighborhood General policy, it is likely that the adjacent properties will develop in a similar manner and therefore, buffer yards are not being required.

Parking -The plan stipulates 2 parking spaces per unit. All parking will be located at the rear, with the exception of some house lots where parking will be located in the rear or on the side.

Sidewalks -Sidewalks are shown along all proposed public streets.

Building Design -The plan will use the architectural standards of the “Hamilton Hills” UDO. The building walls will be finished in brick, stone, wood siding, singles, fiber cement siding/shingles, stucco, or vinyl siding. Attachments such as chimneys, piers and arches will be finished in masonry or stucco. Roofs, if sloped will be clad in wood shingles, fiberglass shingles or asphalt shingles.

Signage -The preliminary plan required that all signage must be approved by the Planning Commission prior to final SP site plan approval. The final SP site plan does not propose signage.

Preliminary Plan -The preliminary SP district was considered by the Planning Commission on June 22, 2006. The Commission recommended that the Metro Council approve the SP with conditions and it was subsequently approved by Metro Council in August 2006.

Staff Recommendation -Staff recommends approval with conditions of the final SP plan because it is consistent with the concept of the Council approved plan.

PUBLIC WORKS RECOMMENDATION -No Exception Taken

STORMWATER RECOMMENDATION -Construction drawings approved

FIRE MARSHALL RECOMMENDATION - Fire hydrant flow data needed

CONDITIONS

1. A revised plan showing the NES public utility easements and transformer location easement zones must be submitted prior to the Planning Commission. Pad easements should be located to the rear of the site, where possible.
2. As per the approved preliminary development plan, the architectural standards must comply with the "Hamilton Hills" UDO.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
4. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. 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.
8. 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.
9. 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.
10. These plans as approved by the Planning Commission will be used by the Department of Codes Administration and Planning Department to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require re-approval by the Planning Commission.
11. 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, (8-0) *Consent Agenda*

Resolution No. BL2007-275

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-077G-13 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. A revised plan showing the NES public utility easements and transformer location easement zones must be submitted prior to the Planning Commission. Pad easements should be located to the rear of the site, where possible.
2. As per the approved preliminary development plan, the architectural standards must comply with the "Hamilton Hills" UDO.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district effective at the date of the building permit. This zoning district must be shown on the plan.
4. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to approval of the final site plan. Prior to the issuance of any permits, confirmation of compliance with the final approval of this proposal shall be forwarded to the Planning Department by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
7. 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.
8. 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.
9. 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.
10. These plans as approved by the Planning Commission will be used by the Department of Codes Administration and Planning Department to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require re-approval by the Planning Commission.
11. 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.

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6. **2006SP-135U-08**
Clifton Avenue Townhomes SP (Final Site Plan)
Map: 091-12 Parcel(s): 197, 198
Subarea 8 (2002)
Council District 21 – Edward Whitmore

A request for final SP site plan approval to permit the development of 10 townhome units on property located at 711 and 713 40th Avenue North, at the southwest corner of 40th Avenue North and Clifton Avenue (0.52 acres), requested by Planning & Research Engineers, Inc., applicant, for Southeast Real Estate Development, LLC, owner.
Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Final SP

A request for final Specific Plan (SP) Site Plan approval to construct 10 townhome units on property located at 711 and 713 40th Avenue North (0.52 acres).

PLAN DETAILS

Site Plan - The plan calls for a total of 10 townhomes on 0.52 acres with a density of approximately 19 units per acre. The proposed plan is located across the street from M.D.H.A's Preston Taylor Homes development.

Parking & Access -The Final SP plan proposes a total of 24 parking spaces. 14 parking spaces will be located in the rear of the units and 10 parking spaces will be accommodated on street. Lots will be accessed from a new public alley from Clifton Avenue.

Sidewalks - Sidewalks are required on both sides of all streets and are shown on the plan.

Preliminary Plan - The preliminary SP district was considered by the Planning Commission on December 14, 2006. The Commission recommended that the Metro Council approve the SP with conditions and it was subsequently approved by Metro Council on January 17, 2007.

The final plan is consistent with the approved preliminary plan with regard to design, parking, and frontage of units. The applicant has not yet submitted revised plans addressing conditions of approval from the Fire Marshal and Nashville Electric Service (NES). Furthermore, the applicant has yet to submit elevations of the final plan showing all external and vertical building materials to be used.

Staff Recommendation - Staff recommends disapproval unless elevations and plans addressing all conditions of approval are received from the applicant prior to the Planning Commission Meeting

FIRE MARSHAL RECOMMENDATION

1. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface Oroad. (Ordinance 095-1541 Sec: 1568.020 B)
2. Fire hydrants should flow a minimum of 1250 GPM's at 40 psi residual flow

NASHVILLE ELECTRIC SERVICE RECOMMENDATION

1. Developer to provide high voltage layout for underground conduit system and proposed transformer location for NES review and approval
2. Developer to provide construction drawings and a digital .dwg file @ state plane coordinates that contains the civil site information (after approval by Metro Planning with any changes from other departments).
3. All NES conduits need to lay in a PUE.
4. NES needs meeting with developer/engineer to determine electrical service options
5. NES needs any drawings that will cover any road improvements to Clifton or 40th Av N that Metro PW might require
6. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules.

CONDITIONS

1. Elevations showing all exterior and vertical building materials to be used must be approved by staff.
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 RM20 zoning district at the effective date of this ordinance, which must be shown on the plan.
3. The application, including attached materials, elevations, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
4. All Nashville Electric Service (NES) conditions shall be completed as required by NES.
5. 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. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
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 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.
8. 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.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-276

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-135U-08 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Elevations showing all exterior and vertical building materials to be used must be approved by staff.
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 RM20 zoning district at the effective date of this ordinance, which must be shown on the plan.
3. The application, including attached materials, elevations, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final

site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.

4. All Nashville Electric Service (NES) conditions shall be completed as required by NES.
5. 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. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
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 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.
8. 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.

7. 2007SP-015U-10

The Glen (formerly 18th & Wedgewood) SP (Final Site Plan)

Map: 104-08 Parcel(s): 263

Subarea 10 (2005)

Council District 19 – Ludye Wallace

A request for final SP site plan approval on property located at 1700 18th Avenue South, at the northeast corner of 18th Avenue South and Wedgewood Avenue (0.54 acres), to permit the development of 38 multi-family units, requested by Barge, Waggoner, Sumner, and Cannon, applicant, for Nashville Property Managers, LLP, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Final SP

A request for final Specific Plan (SP) site plan approval on property located at 1700 18th Avenue South, at the northeast corner of 18th Avenue South and Wedgewood Avenue (0.54 acres), to permit the development of 38 multi-family units.

PLAN DETAILS

Site Plan -The plan calls for 38 units in one structure. There are four pedestrian entrances along 18th Avenue South.

Elevations -The elevations are consistent with the approved preliminary elevations. The building addresses 18th Avenue and Wedgewood Avenue and incorporates a tower element to address the street corner. The main body of the building is set back 30 feet from the street, to maintain the contextual setback of 18th Avenue. The building has a strong residential frontage on 18th Avenue, with projecting front doors, stairs and front porches. This façade has wide windows to allow light into the condominium units. The main material is brick, with stone details at the cornice line of the parapet wall and above the windows. The building is 3½ stories tall on 18th Avenue and 4 stories tall on Wedgewood Avenue. The backflow preventer is within the building and the dumpsters are located on the alley, so there is an unobstructed view of the facades.

Sidewalks -There are existing sidewalks on both 18th Avenue South and Wedgewood Avenue. Sidewalks are required to be upgraded to Metro standards, if necessary.

Parking and Access -The plan calls for a total of 54 spaces, all within the proposed building. There are two access points into the garage from the alley parallel to 18th Avenue South.

Preliminary Plan - The preliminary SP district was considered by the Planning Commission on January 25, 2007. The Commission recommended that the Metro Council approve the SP with conditions and it was subsequently approved by Metro Council in March of 2007. The plan is consistent with the approved preliminary plan.

Staff Recommendation -Staff recommends approval with conditions because the development is consistent with the Council approved preliminary plan.

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

STORMWATER RECOMMENDATION - Approve with conditions

1. Provide easement location, documentation and appropriate fees for the water quality structure and the underground detention including provisions for ingress/egress.
2. Provide NOI statement with signature on the plans stating this project will disturb less than 1 acre.
3. Provide a signed stormwater detention maintenance agreement with appropriate recording fees.
4. Revise the Long Term Maintenance plan by stating that the stormwater network flows into underground detention and then an underground water quality device. Update this plan with the revised sheet C2.00. Remove the Stormwater Pond Inspection and Maintenance Checklist from the plan. This Checklist is not required for underground detention.
5. The construction entrance/exit detail needs to show a minimum width of 20' and 100' length.
6. Provide a silt fence or other erosion control measures along the west side of Alley 442.
7. Place note on Erosion Control Plan requiring contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during pre-construction meeting.
8. Provide a drainage map showing the sub-area flowing to each drainage structure.
9. 15" diameter pipe needs to be limited to 50' segments or less. Upsize pipes or add junction boxes at 50' intervals. Do not design for an 18" pipe to connect to the existing downstream 15" pipe at structure #1. If upsizing to 18" pipes, then replace the existing downstream 15" pipe with an 18" pipe.
10. Provide a detail and calculations for the proposed swale on the south side of the property.
11. The drainage table on sheet C2.00 and the Hydraflow calculations show a pipe connecting drainage structures 5 and 9. Please revise showing the pipe connects structures 6-9.
12. Remove "not for construction" on the underground detention details.
13. Remove "not for construction" on the water quality unit detail.
14. The treatment flow shown in the VortSentry model 40 water quality device specifications page doesn't ever get above 1.0 and the required treatment flow for the site is 1.3 cfs. Select a different device.
15. Water quality detail needs to show elevations and dimensions specific to this project. Provide peak flow capacity and treatment capacity flows on the detail.

FIRE MARSHAL RECOMMENDATION

- Building will need to be sprinklered
- Building will need standpipes
- Fire hydrant flow data needs to be provided before construction.

CONDITIONS

1. Correct dumpster location on landscape plan.
2. Revised plan shall comply with all Stormwater requirements.

3. Existing sidewalks must be improved to Metro standards, if necessary.
4. The backflow preventer must remain within the building.
5. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning districts at the effective date of this ordinance, which must be shown on the plan.
7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
8. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
9. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-277

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-015U-10 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Correct dumpster location on landscape plan.
2. Revised plan shall comply with all Stormwater requirements.
3. Existing sidewalks must be improved to Metro standards, if necessary.
4. The backflow preventer must remain within the building.
5. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning districts at the effective date of this ordinance, which must be shown on the plan.

7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
8. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
9. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

VIII. FINAL PLATS

8. **2007S-107U-12**
Caldwell Country Estates, Sec. 1, Resub. Lot 120
Map: 147-06 Parcel(s): 188
Subarea 12 (2004)
Council District 26 – Greg Adkins

A request for final plat approval to create 2 lots on property located at 243 Blackman Road, approximately 240 feet east of Darlington Road (1.06 acres), zoned RS20, requested by Jennifer C. Nelson, owner, Mark Devendorf, surveyor.

Staff Recommendation: Approve, including an exception to lot comparability and variances to Section 3-4.2.a and Section 3-4.2.f of the Subdivision Regulations

The Metropolitan Planning Commission DEFERRED Final Plat 2007S-107U-12 until August 23, 2007 at the request of the applicant. (8-0)

9. **2007S-198U-05**
M.P. Estes Subdivision, Lot 2
Map: 072-15 Parcel(s): 257
Subarea 5 (2006)
Council District 7 - Erik Cole

A request for final plat approval to create 2 single family lots on property located at 1503 Porter Road, approximately 120 feet north of McKennell Drive (0.4 acres), zoned R6, requested by Donald Ridge, owner, Campbell, McRae & Associates, surveyor.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Final Plat

A request for final plat approval to create 2 single-family lots on property located at 1503 Porter Road, approximately 120 feet north of McKennell Drive (0.4 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.

EAST NASHVILLE COMMUNITY PLAN POLICY

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

SUBDIVISION DETAILS -The applicant proposes to subdivide one lot into two. An existing single-family dwelling is located on one lot and the area for the proposed new lot is presently vacant. The current R6 zoning would permit duplexes and single-family dwellings in this area; however, the proposed plat is for single-family only.

Section 3-5.1 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 -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.) |
| Porter Road | 14,048 | 89 |

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

- Lot 1: 9,253 sq. ft. with 53 ft. of frontage
- Lot 2: 10,291 sq. ft. with 53 ft. of frontage

Lots 1 and 2 fail for both area and 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 qualify for an exception to lot comparability based on the following criteria of Section 3-5.2 of the Subdivision Regulations:

1. The proposed subdivision is consistent with the Neighborhood General Policy

Staff Recommendation - Since the lot comparability analysis is based on only one other lot, staff also determined that the proximity to a neighborhood center is an important factor in allowing a second lot in this area. Staff recommends the granting of an exception to lot comparability since the proposed subdivision is consistent with the NG policy and is within walking distance to a Neighborhood Center policy area. Although the R6 district would permit duplexes at this location, Section 17.16.030 D of the Metro Zoning Ordinance requires that lots permitting two-family dwellings must be identified on the plat. The plat as submitted does not identify the proposed new lots as duplex lots, and therefore are restricted to single family uses.

PUBLIC WORKS RECOMMENDATION -No Exception Taken

STORMWATER RECOMMENDATION - Final plat approved

CONDITIONS - A note shall be added to the plat indicating the use of the lots is restricted to single-family only.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-278

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-198U-05 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. A note shall be added to the plat indicating the use of the lots is restricted to single-family only.”

10. 2007S-205U-07

Nebraska Avenue Subdivision II

Map: 104-01 Parcel(s): 314, 315

Subarea 7 (2000)

Council District 24 – John Summers

A request for final plat approval to create 3 lots on property located at 3529 and 3601 Nebraska Avenue, approximately 375 feet west of Acklen Park Drive (0.57 acres), zoned RS7.5, requested by E.M. Ashburn et ux, owner, The Schneider Corporation, surveyor.

Staff Recommendation: Disapprove

APPLICANT REQUEST - A request for final plat approval to create 3 lots on property located at 3529 and 3601 Nebraska Avenue, approximately 375 feet west of Acklen Park Drive (0.57 acres), zoned Single-Family Residential (RS7.5).

ZONING

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

PLAN DETAILS - This subdivision proposes to subdivide two existing lots into three lots. There is currently one residence on one of the 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.): |
| Nebraska Avenue | 6,686 | 45.0 |

As proposed, the three new lots pass lot comparability for both area and frontage.

Sidewalks -Because the property is within the Urban Services District, sidewalks are required. Staff requested that sidewalks be shown on the plat, though the applicant has the option to pay the in lieu fee. The applicant failed to show sidewalks and did not request a variance from the Subdivision Regulations.

Section 3-4.2.a - A variance to Section 3-4.2.a of the Subdivision Regulations is required for the irregular lot lines. Staff requested that the applicant submit the variance request, but staff has not received the request. Staff recommends disapproval of the variance since no hardship has been identified. There are very few examples of irregular lot lines in this area. While there are a few lot lines that are not perpendicular to the street, there are no examples of lot lines that zigzag, as is proposed. The inability to subdivide this property without large breaks in the lots lines demonstrates that this property is unsuitable for subdivision and makes the request inconsistent with the lot patterns on the area.

History -This item was disapproved by the Planning Commission on December 14, 2006. The current request is identical to the disapproved request, with the exception of a larger required drainage easement. The applicant has not provided any new information explaining why this request is different from the previous request that was disapproved by the Planning Commission.

Staff Recommendation - Staff recommends disapproval. Even though the request meets zoning and lot comparability, staff recommends disapproval because the lots do not comply with the requirements of Section 3-4.2 a. Staff does not recommend approval of a variance because the property is clearly unsuitable for development due to the large amount encumbered by easements and because the proposed development is inconsistent with the character of Nebraska Avenue. Character is addressed in Section 1-3 of the Subdivision Regulations. This section states that the purpose of the Regulations is to “provide for harmonious development of the municipality and its environs,” which is language derived from Section 13-4-303 of the Tennessee Code Annotated. As shown on the plat, there is a drainage easement that occupies the northern portion of proposed Lot 3. Because of this easement, any development on proposed Lot 3 would be setback roughly 110 feet from Nebraska Avenue. The average setback of the adjoining properties is approximately 47 feet. This easement does not restrict development on the existing lot because it has more than enough area to place a house at the appropriate setback on the western side of the lot. Additionally, the applicant has not provided a justification for a variance for irregular lot lines. The inability to create lots with lot lines that meet the subdivision regulations further indicates the inappropriateness of subdividing this property.

STORMWATER RECOMMENDATION -Approved

FIRE MARSHAL RECOMMENDATION-Fire Hydrant flow data will need to be provided before construction.

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

1. Show sidewalk on Lot 2. Add a note that sidewalks shall be constructed or in lieu fee paid with the issuance of any building permit.

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

Mr. Bill Herbert, 211 Union Street, spoke in favor of the proposal.

Mr. Dana Smith, a resident located on Nebraska Avenue, spoke in favor of the proposal.

Mr. Phil Taylor, 400 7th Avenue South, spoke in favor of the proposal.

Ms Joyce Reed spoke in favor of the proposal.

Ms. Debbie Brown spoke in favor of the proposal.

Mr. Ponder requested clarification on the setbacks included in the proposal.

Ms. Logan explained the setbacks that have been requested for this proposal as well as the setbacks of various other parcels located near this proposal.

Ms. Cummings requested additional clarification on the setbacks of other properties near this request.

Mr. Clifton acknowledged that the subdivision meets comparability, however has issues with easements.

Ms. Logan offered additional information regarding the requested subdivision and the available land for the request.

Mr. Ponder moved to approve the staff's recommendation.

The motion failed due to a lack of a second.

Ms. Beehan moved and Mr. Ponder seconded the motion, to disapprove Final Plat 2007S-205U-07.

This motion was defeated.

Mr. Clifton moved and Ms. Jones seconded the motion, to approve Final Plat 2007S-205U-07.

Ms. Cummings requested clarification regarding the motion.

Mr. Kleinfelter stated that the motion would approve the variance which would allow either leaving the lot lines as proposed in the applicant's original submission or redrawing the lot lines as shown in the later drawing provided by the applicant.

Mr. Clifton moved and Ms. Jones seconded the motion, to approve Final Plat 2007S-205U-07 which includes a variance to Section 3-4.2a of the Subdivision Regulations. **(5-2) No Votes – Beehan, Ponder**

Resolution No. BL2007-279

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-205U-07 is **APPROVED, including a variance to Section 3-4.2.a of the Subdivision Regulations. (5-2)**”

IX. REVISIONS AND FINAL DEVELOPMENT PLANS

11. 155-74-U-14

Larchwood Commercial PUD (Thornton's - Final)

Map: 097-13 Parcel(s): 029

Subarea 14 (2004)

Council District 14 – Harold White

A request for final approval for a portion of a Commercial Planned Unit Development district located at 714 Stewarts Ferry Pike (1.05 acres), to permit the development of a 3,730 Square foot automobile convenience store with 20 gasoline pumps, requested by TRC International, applicant, for Eller Olsen Stone Company, Inc., owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Final PUD

A request for final approval for a portion of a Commercial Planned Unit Development district located at 714 Stewarts Ferry Pike (1.05 acres), to permit the development of a 3,730 square foot automobile convenience store with 20 gasoline pumps.

PLAN DETAILS - On December 14, 2006, Metro Planning Commission approved a revision to the preliminary PUD allowing the development of a 3,729 square foot convenience store/fuel center with 20 covered fuel pumps. Currently the site contains a 5,513 square foot building that was previously used for a restaurant. The proposed final plan is consistent with the revised preliminary plan.

Parking - The final plan proposes a total of 39 parking spaces. 20 parking spaces will be for the gas pumps. 19 parking spaces will be for the convenience store, 2 of which will be handicap parking.

Access - Access will be provided at existing locations with one at Blackwood Drive, and a second internal drive that connects to Percy Priest Drive.

Staff Recommendation - Staff recommends approval with conditions as the final proposed plan is consistent with the revised preliminary plan approved by the Metro Planning Commission on December 14, 2006.

PUBLIC WORKS RECOMMENDATION

1. Submit a signal modification plan for the installation of pedestrian signals.

FIRE MARSHAL RECOMMENDATION

1. Fire hydrant location needed.
2. No part of any building shall be more than 500 feet
3. Fire Hydrant flow data will be needed.

STORMWATER RECOMMENDATION

1. Provide outlet protection for the headwall labeled Drainage Structure #9 on Sheet C3. Provide associated detail including dimensions.
2. Sheet C4 or BMP details should reference Metro's Erosion Control Manual.
3. EPSC note on Sheet C3 should be signed by an erosion control specialist.
4. Provide a dedication of easement for the water quality structures and any pipes conveying offsite water through site with appropriate recording fees.
5. Show easement locations on the plans.
6. Sign the NOI statement on the plans.
7. Provide NPDES NOC letter.
8. Include a note on the Erosion Control Plan requiring the contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively.
9. Provide location, calculations and a detail for the proposed shallow grass swale referenced in the Hydraulic Analysis Report Summary Page.
10. The area used to calculate the 10-year peak flow for Structure #7 (Drainage Area #2) was 22,618 square-feet, which does not match what is shown on the Proposed Flow Path Map.
11. Line ID 5-6's slope shown in the design calculations does not match the slopes shown on Sheet C3 or the Area A Pipe Profile. Revise to match.

CONDITIONS

1. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to final approval.
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 150 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, (-0) *Consent Agenda*

Resolution No. BL2007-280

“BE IT RESOLVED by The Metropolitan Planning Commission that 155-74-U-14 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. All stormwater management requirements and conditions of the Department of Water Services shall be approved prior to final approval.
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 150 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.”

12. 2005P-008G-06

Harpeth Village PUD (Revision Out Parcels 2, 3, and 4)
Map: 156-09A, Parcel(s): 002, 003, 004
Subarea 6 (2003)
Council District 35 – Charlie Tygard

A request to revise the preliminary plan for a portion of a Planned Unit Development located at 8000, 8002 and 8004 Highway 100, at the northwest corner of Highway 100 and Temple Road, (2.14 acres), to permit two out parcels with 12,950 square feet of retail/restaurant uses and a financial institution, zoned CL, requested by Dale & Associates, applicant, for Kimco Barclay Harpeth Partners, L.P.

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 8000, 8002 and 8004 Highway 100, at the northwest corner of Highway 100 and Temple Road, (2.14 acres), to permit two out parcels with 12,950 square feet of retail/restaurant uses and a financial institution, zoned Commercial Limited (CL).

PLAN DETAILS -The proposed plan calls for the development of out parcels two and three with 12,950 square feet of retail/restaurant uses and a financial institution. This plan replaces three out parcels with two out parcels. Out parcel two, 1.2 acres, includes a total of 8,700 square feet of retail and restaurant space. Out parcel three, 1.1 acres, includes a 4,250 square foot commercial banking facility with drive thru access.

Parking -The final plan proposes a total of 92 parking spaces. 57 parking spaces will be provided on out parcel two and 35 parking spaces will be provided on out parcel three.

Access - Primary access is located off US Highway 100. On May 15, 2007 Council approved an amendment to the preliminary PUD allowing an additional right-in turn lane from Highway 100.

Staff Recommendation- Staff recommends approval with conditions as the final proposed plan and revision is consistent with the revised preliminary plan approved by Council on May 15, 2007.

FIRE MARSHAL RECOMMENDATION

1. Need fire hydrant flow data
2. Need building construction types

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. 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.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. 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.

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

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-281

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-008G-06 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

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

13. 2005P-010G-02

Nashville Commons at Skyline

Map: 050-00 Parcel(s): 150, 151, 152, 153, 154

Subarea 2 (2006)

Council District 3 – Walter Hunt

A request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development district located along the west side of Dickerson Pike, north of Doverside Drive, (125.71 acres), classified SCR, IWD, and RS7.5, to increase the overall square footage from 684,977 to 691,783, requested by Gresham Smith and Partners, applicant, for Nashville Commons, L.P., owners.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Revise Preliminary & Final PUD

A request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development district located along the west side of Dickerson Pike, north of Doverside Drive, (125.71 acres), classified Shopping Center Regional (SCR), Industrial Warehousing/Distribution (IWD), and Single-Family Residential (RS7.5), to increase the overall square footage from 684,977 to 691,783.

PLAN DETAILS -The current final development plan was approved by the Planning Commission on March 8, 2007. This request is consistent with that plan, with minor revisions to the layout on the northern portion of the property. This plan shifts building footprints and parking areas, but is consistent with the Council approved PUD plan in terms of uses, access points, building form, and connectivity. The southern portion and the outparcels remain the same. There is an increase in the total amount of square footage, from 684,977 to 691,783 square feet. This request has less total square footage than the 718,781 square feet of retail and restaurant uses approved by Metro Council on August 2, 2005.

Staff Recommendation -Staff recommends approval with conditions.

PUBLIC WORKS RECOMMENDATION - Exception Taken

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Realignment of Dover Side Drive to be constructed with 1st phase of development.

Comply with all previous conditions of this PUD:

1. Prior to final PUD approval, the applicant must show and dimension the Right-of-Way along Dickerson Pike, consistent with the approved Major Street Plan (Dickerson is a U4, and thus requires an 84 foot ROW). The applicant must dedicate 30 feet minimum of ROW from the centerline to the property boundary and show the ROW reservation.
2. Prior to final PUD approval, the applicant must show and dimension Right-of-Way along Doverside Drive (a local road).
3. Prior to final PUD approval, the applicant must show on the plans, as per the requirements of the PUD overlay, a sidewalk along Doverside Drive, from the western edge of the PUD to the access drive into the PUD along this same street, to connect with the internal sidewalk that begins there. There shall also be an internal sidewalk along the drive that extends north just to the west of Restaurants #3, 4, 5, and 6.
4. Prior to final PUD approval, the applicant must show on the plans, as per the requirements of the PUD overlay, a sidewalk along Dickerson Pike. A transit stop shall be required accordingly, in coordination with sidewalks on Doverside Drive and Dickerson Pike. The final PUD plans must also show internal sidewalks that connect the internal private drives with the sidewalk aprons of the major retail buildings within the PUD.
5. Prior to final plat approval, by mandatory referral the Metro Council must approve the relocation of Doverside Drive.

6. The access driveway on Dickerson Pike shall be designed for safe operation with adequate sight distance of the signal.
7. Doverside Drive shall be relocated to align with Skyline Medical Center driveway and the road shall be designed for safe operation with adequate sight distance of the signal.
8. The developer shall construct the Doverside approach with 2 separate right turn lanes, a through lane, a separate left turn lane and 2 westbound through lanes with storage lengths as indicated on the PUD plan.
9. The developer shall submit a signal design for approval and install the signal modifications. Signal plan shall include pedestrian signals and ADA facilities.
10. The developer shall construct Dickerson Pk with 2 Northbound separate left turn lanes, 2 through lanes and a shared right/through lane with storage as indicated on the PUD plan.
11. Developer shall construct a new southbound through/right lane along the Dickerson Pk frontage and it shall extend to the through/right lane at the Briley Pkwy westbound on-ramp.
12. The developer shall construct the access driveway with separate left and right turn lanes. Additional ROW for the access driveway shall be reserved in order to install a separate through lane if a 4th leg is added to this intersection in the future. The access shall driveway shall include 2 westbound through lanes with storage lengths as indicated on the PUD plan.
13. The developer shall submit a signal design for approval and install the signal. Signal plan shall include pedestrian signals and ADA facilities. All new signals shall be interconnected and coordinated with signals in the vicinity of the project.
14. The developer shall construct Dickerson Pike with 2 Northbound separate left turn lanes, 2 through lanes in each direction and a southbound separate right turn lane with storage as indicated on the PUD plan. Required lane signage shall be installed.
15. Access drives and project internal roads shall be designed to provide adequate truck turning movements.
16. The southbound exclusive left turn lane on Dickerson shall be striped to provide a minimum of 100 ft of storage for northbound traffic entering I-65 southbound in order to provide greater storage for southbound traffic turning left onto I-65 northbound.
17. TDOT approval of all Dickerson Pk modifications is required.
18. The developer shall install a westbound left turn lane with 100 ft of storage on Doverside at the pharmacy access driveway.
19. The developer shall construct Doverside Drive with eastbound through and through/left lanes. The westbound approach shall be constructed with a through lane and a separate free-flow right turn lane. The southbound approach shall be constructed with 3 exit lanes and 2 entering lanes. Turn lane storage lengths shall be provided as identified on the PUD plan.
20. The developer shall submit a signal design for approval and install the signal at this intersection. Signal plan shall include pedestrian signals and ADA facilities if sidewalks are constructed. The signals shall be interconnected and coordinated with signals in the vicinity of the project. In accordance with Metro standards video detection shall be installed on the private approach and loop detection with advance detection shall be installed on the main line approaches.

STORMWATER RECOMMENDATION -Approved

CONDITIONS

1. Development shall comply with all Public Works recommendations.
2. Realignment of Dover Side Drive to be constructed with 1st phase of development.
3. Prior to the issuance of any permits, a final plat must be recorded and the proposed open space and conservation easement must be dedicated to an appropriate land trust.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.

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

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-282

“BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-010G-02 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Development shall comply with all Public Works recommendations.
2. Realignment of Dover Side Drive to be constructed with 1st phase of development.
3. Prior to the issuance of any permits, a final plat must be recorded and the proposed open space and conservation easement must be dedicated to an appropriate land trust.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revise plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
7. 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.

14. 58-85-P-12

Brighton Village (Formerly Rucker Landing and Brentwood Midlands)

Map: 161-00 Parcel(s): 071, 254

Subarea 12 (2004)

Council District 27 – Randy Foster

A request to revise the preliminary and for final approval for a Planned Unit Development located at 5442 and 5444 Edmondson Pike, approximately 1,775 feet north of Old Hickory Boulevard (15.71 acres), zoned R10, to permit the development of 124 townhome units where 124 units were previously approved, requested by Sandhu Consultants, Inc., applicant, for Regent Investments I, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Revise Preliminary & Final PUD

A request to revise the preliminary plan and for final approval for a residential Planned Unit Development located at 5442 and 5444 Edmondson Pike, classified One and Two-Family Residential (R10), (15.71 acres), to permit the development of 124 multi-family units.

PLAN DETAILS

Site Plan -The plan calls for 124 units on approximately 15 acres with a density of approximately 8.2 units per acre. The development will consist of 44 single-family attached town homes and 80 multi-family attached units. The 80 multi-family units will be distributed amongst six individual structures. All units will be accessed from private drives from Edmondson Pike. The units along Edmondson Pike will front onto Edmondson Pike.

Preliminary Plan -This development received approval from the Planning Commission for a revision to the preliminary and final PUD on April 26, 2007. Since receiving approval, wetlands were found on the property, requiring much of the area be left undisturbed and that the plan be revised.

This plan, formerly known as Rucker Landing and Brentwood Midlands, was originally approved for 124 multi-family units. In 2004 the plan was revised to 102 town homes. As proposed, the density of this plan is consistent with the originally approved plan. The layout is slightly different than what was originally approved to avoid the wetlands, but the overall concept has not changed.

Staff Recommendation -Since the changes are consistent with the overall concept of the original preliminary plan and do not propose any additional units than what was originally approved, staff recommends that the request be approved with conditions.

PUBLIC WORKS RECOMMENDATION

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Identify retaining wall locations / elevations, including top and base of wall elevations. Submit geotechnical report prior to final approval and permit issuance.

STORMWATER RECOMMENDATION -Approve with the following conditions:

1. Need revised Dedication of Easement (for all water quantity and quality measures), Detention Agreements, and recording fee.
2. Provide updated ARAP's, NOC, etc.
3. For erosion control, place silt fence parallel to contours. Show and label silt fence better on plans.
4. No erosion control measures observed on Sheet C3.1. Be sure to protect the stream.
5. Adjust erosion control measures as noted on plans.
6. For the storm structures, show contours on Sheets C4.0 and C4.1.
7. For the storm structure drainage maps, provide larger delineation and with contours.
8. For the storm structure calculations, no spread, hgl's, or flows were observed.
9. For the detention ponds, provide a larger drainage map. Be sure to show contours.
10. For the detention pond, the lag method is not accepted for Tc calculations.
11. For the detention pond, pre and post drainage areas don't coincide. May need to provide pre and post drainage maps.
12. For the water quality measures, provide a separate drainage maps. Be sure to show the locations of the water quality inserts (storm structure ID's have changed).
13. For the water quality calculations, use more significant digits (do not round). When sizing the orifice size, always size down.
14. Make any corrections as noted on plans.

CONDITIONS

1. A landscape plan shall be submitted and approved by planning staff and the urban forester prior to the issuance of any permits.

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. 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 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, (8-0) *Consent Agenda*

Resolution No. BL2007-283

“BE IT RESOLVED by The Metropolitan Planning Commission that 58-85-P-12 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. A landscape plan shall be submitted and approved by planning staff and the urban forester prior to the issuance of any permits.
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. 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 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.”

15. 70-81-G-13

Lakeshore Christian Church

Map: 163-00 Parcel(s): 295

Subarea 13 (2003)

Council District 33 – Robert Duvall

A request for a revision to the preliminary plan and for final approval for a portion of the Planned Unit Development district located on property located at 5432 Bell Forge Lane, at the southeast corner of Bell Forge Lane and Bell Road, (7.81 acres), zoned AR2a, to permit the development of a religious institution, previously approved for 73,263 square feet of retail uses, requested by Lakeshore Christian Church, applicant, Moses Lerner, LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST -Revise Preliminary & Final PUD

A request for a revision to the preliminary plan and for final approval for a portion of the Planned Unit Development district located on property located at 5432 Bell Forge Lane, at the southeast corner of Bell Forge Lane and Bell Road, (7.81 acres), zoned Agricultural/Residential (AR2a), to permit the development of a religious institution, previously approved for 73,263 square feet of retail uses.

PLAN DETAILS -The plan is consistent with the PUD plan approved in 1993, but changes the use from retail to religious institution, which is permitted under the AR2a base zoning.

The 800 seat sanctuary will be in the existing building, with changes to the elevations. The landscape plan meets the requirements for perimeter landscaping and 8% interior green space. The parking exceeds that required by the Metro Zoning Ordinance. The requirement is 1 space per every 4 seats, or 200 spaces. The plan includes 290 spaces.

Staff Recommendation -Staff recommends approval with conditions.

PUBLIC WORKS RECOMMENDATION -No Exception Taken

STORMWATER RECOMMENDATION -No Permit Required. It appears that no land disturbance activities are anticipated.

FIRE MARSHAL RECOMMENDATION -With any permits, the building will need to be reviewed for life safety.

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.

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-284

“BE IT RESOLVED by The Metropolitan Planning Commission that 70-81-G-13 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services 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.

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- 16. 89P-003G-06**
Still Springs Ridge, Phase II
Map: 128-00 Parcel(s): 156, 166, PART OF 036
Subarea 6 (2003)
Council District 22 – Eric Crafton

A request to revise the preliminary for a portion of a Planned Unit Development located at Hicks Road (unnumbered), approximately 3,130 feet east of Sawyer Brown Road (27.23 acres), to permit one single-family lot with a guesthouse, where a 10,000 square foot religious institution was previously approved, zoned RS20, requested

by Barge, Waggoner, Sumner & Cannon, Inc., applicant, for Greater Middle Tennessee Partnership, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Revise Preliminary PUD

A request to revise the preliminary for a portion of a Planned Unit Development located at Hicks Road (unnumbered), approximately 3,130 feet east of Sawyer Brown Road, zoned Single-Family Residential (RS20) (27.23 acres), to permit one single-family lot with a guesthouse, where a 10,000 square foot religious institution was previously approved.

PLAN DETAILS

Site Plan -The plan calls for one single-family home with pool and guest house. Access will be provided from Hicks Road by a private drive. The underlying base zone district (RS20) does not allow for more than one residence per lot. Although the second structure is proposed for a guest house only, Metro Codes will not issue a building permit for the guest house if it is on the same lot as the main house because it would be in violation of the zoning code. To accommodate both the primary residence and the guest house, the plan proposes to place each structure within a separate lot. Lot 2B(1), which will contain the primary residence, will consist of approximately 17.17 acres, and Lot 2B(2), which will contain the guest house, will consist of approximately 8.14 acres. As proposed Lot 2B(2) will not have frontage and will be accessed by a private drive. Since this property is within a PUD, private drives are allowed and do not require a variance to the Subdivision Regulations for lack of frontage.

PUD History - In 1995, the Still Springs Ridge PUD was amended to absorb the Hicks Road PUD. At that time, a plan was approved for 100 single-family lots on a portion of the development. This portion was approved with two development scenarios:

- 1) a 10,000 square foot private recreation facility, or
- 2) five single-family residential lots.

In 2006 a plan revision was submitted to allow for a Center for Jewish Awareness. The revision was approved by the Planning Commission on April 11, 2006.

The property is encumbered with steep topography and is not suitable for dense development. This request will have less of an impact than either approved development scenario for this portion of the PUD and is more appropriate than a community center or five single-family lots. While this proposal is not completely consistent with the approved preliminary plan, it is not out of character with the residential development scenario and can be reviewed as a revision.

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

PUBLIC WORKS RECOMMENDATION

1. Show and dimension right-of-way along Hicks Road.
2. Label and dedicate right-of-way 30 feet from pavement centerline to the property boundary, consistent with the approved major street plan.

STORMWATER RECOMMENDATION -Approve with the following conditions:

1. Show the buffers (Zone 1 and Zone 2) clearly on the plan.
2. Show the proposed grading of the roadway and at the residential area.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes

Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
5. 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.
6. 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, (8-0) *Consent Agenda*

Resolution No. BL2007-285

“BE IT RESOLVED by The Metropolitan Planning Commission that 89P-003G-06 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

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

17. 89P-030U-03

Shops at Bordeaux (Cathedral of Praise)
Map: 058-00 Parcel(s): 163, part of 181
Subarea 3 (2003)
Council District 1 – Brenda Gilmore

A request to amend a portion of the Planned Unit Development Overlay District on property located at 4148 Clarksville Pike, at the southeast corner of Clarksville Pike and Kings Lane, (4.05 acres), zoned CL, to permit the development of a 30,269 square foot recreation center (family life center) and 5,000 square feet of office uses, replacing retail uses, requested by Don Shanklin, applicant, Pentecostal Tabernacle Church, Inc., owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Amend PUD

A request to amend a portion of the Planned Unit Development overlay district on property located at 4148 Clarksville Pike, at the southeast corner of Clarksville Pike and Kings Lane, (4.05 acres), zoned Commercial Limited (CL), to permit the development of a 30,269 square foot recreation center (family life center) and 5,000 square feet of office uses, replacing retail uses.

PLAN DETAILS

Site Plan - The site plan proposes a one-story family life center with 30,483 square feet to be used for recreational, daycare and general office uses, and a two to three story office building at 5,000 square feet.

Access/Parking -The property is accessible by one entrance off of Kings Lane and includes a 24 foot wide drive aisle. A total of 56 parking spaces are shown on the plan with six spaces labeled as handicap parking spaces. A 5 foot wide sidewalk is planned along Kings Lane to provide a pedestrian linkage to the development.

Preliminary Plan - The preliminary PUD was approved September 20, 1989, by the Metro Council, and included a total of 67,725 square feet. The PUD was approved for a 25,000 square foot grocery store, an 8,000 square foot drug store, 30,025 square feet of retail shop space, a 2,400 square foot fast food restaurant, and a 2,300 square foot bank facility.

Section 17.40.120.G.2.a stipulates that modifications to a PUD that alter the basic development concept must be considered by the planning commission as an amendment and referred back to council for approval. The previously approved preliminary plan was designed as a strip commercial development with parking located in the front of the buildings. The plan as submitted significantly changes this development concept, but results in a development that is more consistent with current land use policies for this site.

The revised preliminary plan is in keeping with the intent of the King’s Lane Corner Detailed Neighborhood Design Plan and the Clarksville Pike Corridor Study. The land use policies for this area encourage a diverse blend of mixed uses that provide for the needs of the surrounding community through “neighborhood-scale” centers of activity. Residential, commercial and retail uses are encouraged in buildings that are mixed both horizontally and vertically. Other uses that should be integrated in the area include recreational, cultural, and community facilities. The proposed uses would continue to further the land use policy goals by providing opportunities for recreation, employment and childcare.

The placement of the buildings and the parking has also been re-designed to accomplish the community desired development pattern. The buildings front Clarksville Pike and Kings Lane, however, the buildings should be moved closer to the street to create a pedestrian oriented streetscape. Parking is located behind the buildings, providing a transition between the less intensive residential uses that abut this site and a good relationship to the family life center to Clarksville Pike. A 24 foot wide drive aisle connects to Kings Lane, but should also be extended for a future connection to the adjacent property to the south. The Clarksville Pike Corridor Study also encourages a continuous system of sidewalks along Clarksville Pike to connect neighborhoods, schools, recreation areas, places of work and other points of activity. The plan currently shows sidewalks along Kings Lane, but should also include a sidewalk along Clarksville Pike to provide a safe pedestrian environment as encouraged by the plan.

Staff Recommendation - Staff is recommending deferral unless a revised plan that addresses comments and conditions of building placement is submitted prior to the Planning Commission meeting.

PUBLIC WORKS RECOMMENDATION -Approve with the following conditions:

- 1) All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
- 2) Extend the existing two way left turn lane on Kings Lane (to the east) to provide a minimum of 50 ft storage for the westbound left turn into the proposed driveway on Kings Lane. Provide transitions per AASHTO/MUTCD standards.
- 3) Provide construction plans for the turn lane extension.

STORMWATER RECOMMENDATION-Amendment to preliminary PUD approved.

CONDITIONS

1. The final PUD plan must comply with all Public Works requirements.
2. Prior to the approval of the final site plan by the Planning Commission, the plan must provide parking for the proposed uses that satisfies the parking requirements of the Metro Zoning Ordinance and the Traffic Engineer.
3. Prior to the approval of the final site plan by the Planning Commission, the recreation center (family life center) building shall be moved up to the reserved right-of-way line on Clarksville Pike, and the office building shall be moved up to the dedicated right-of-way on Kings Lane to create a more pedestrian-oriented streetscape.
4. Prior to the approval of the final site plan by the Planning Commission, the office building shall be a minimum of 2 stories.
5. Prior to the approval of the final site plan by the Planning Commission, the 24 foot wide drive around the recreation center (family life center), shall be removed and replaced with an access drive to Clarksville Pike at the southern property line on the site.
6. Prior to or in conjunction with the approval of the final site plan by the Planning Commission, an access easement shall be recorded to provide a future connection to the adjacent property to the south.
7. Prior to the approval of the final site plan by the Planning Commission, the plan must show and dimension sidewalk on Clarksville Pike.
8. 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.
9. 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.
10. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
11. 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.

12. 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.
13. 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, (8-0) *Consent Agenda*

Resolution No. BL2007-286

"BE IT RESOLVED by The Metropolitan Planning Commission that 89P-030U-03 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. The final PUD plan must comply with all Public Works requirements.
2. Prior to the approval of the final site plan by the Planning Commission, the plan must provide parking for the proposed uses that satisfies the parking requirements of the Metro Zoning Ordinance and the Traffic Engineer.
3. Prior to the approval of the final site plan by the Planning Commission, the recreation center (family life center) building shall be moved up to the reserved right-of-way line on Clarksville Pike, and the office building shall be moved up to the dedicated right-of-way on Kings Lane to create a more pedestrian-oriented streetscape.
4. Prior to the approval of the final site plan by the Planning Commission, the office building shall be a minimum of 2 stories.
5. Prior to the approval of the final site plan by the Planning Commission, the 24 foot wide drive around the recreation center (family life center), shall be removed and replaced with an access drive to Clarksville Pike at the southern property line on the site.
6. Prior to or in conjunction with the approval of the final site plan by the Planning Commission, an access easement shall be recorded to provide a future connection to the adjacent property to the south.
7. Prior to the approval of the final site plan by the Planning Commission, the plan must show and dimension sidewalk on Clarksville Pike.
8. 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.
9. 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.
10. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.

11. 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.
12. 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.
13. 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 changes to the PUD are consistent with the King's Lane Corner Detailed Neighborhood Design Plan by providing a layout that helps create a human scaled presence along Clarksville Pike.

- 18. 98P-003G-06**
Bellevue Professional Park, Lot 3 (Waterford Assisted Living)
Map: 142-00 Parcel(s): 012
Subarea 6 (2003)
Council District 22 – Eric Crafton

A request for final approval for a Planned Unit Development district located at 8118 B Sawyer Brown Road, approximately 350 feet south of Esterbrook Drive, zoned RM9, (3.29 acres), to permit a 14,200 square foot addition consisting of 20 additional units for an existing assisted living facility, requested by Dale & Associates, applicant, for Prime Quest LLC, owner.

Staff Recommendation: Approve with conditions

APPLICANT REQUEST - Final PUD

A request for final approval for a Planned Unit Development Overlay District located at 8118 B Sawyer Brown Road, approximately 350 feet south of Esterbrook Drive, zoned Multi-Family Residential (RM9) (3.29 acres), to permit a 14,200 square foot addition consisting of 20 additional units for an existing assisted living facility.

PLAN DETAILS

Site Plan - The site plan calls for a two-story, 14,200 square foot addition to an assisted living facility. The addition will be attached along the northeastern side of the existing building and will provide space for 20 additional assisted living residential units.

Setbacks - The development is located adjacent to an established residential neighborhood to the north and east. If approved, the proposed addition will be closer to the north and east property boundary. While the request will introduce a new structure closer to the adjacent residential neighborhood district to the north and east, the proposed setbacks of at least 40 feet, including a "B" class buffer yard and privacy wall, will minimize any negative impact.

Parking - The 42 parking spaces meet the minimum parking requirements for this use.

Preliminary Plan - The original PUD plan was amended by Council earlier this year (Bill # 2007-1406), and as proposed this final plan is consistent with the Council-approved plan.

Staff Recommendation - Since the plan is consistent with the last approved preliminary plan, staff recommends that the request be approved with conditions.

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

STORMWATER RECOMMENDATION - Approve with the following conditions:

1. The construction entrance location and detail shall be show on the plans. Ensure that the construction entrance consist of stone over filter fabric and has a minimum length of 100' and a minimum width of 20'.
2. The foot note for the WQV in the private drain structure schedule table is incorrect. The detail is shown on sheet 5 rather than the same sheet.
3. Provide supporting calculations for the capacity of the 15" pipes conveying runoff to and from the water quality unit?
4. The storm detention pond should allow for 1' of freeboard over the 100 year storm even. The top of bank elevation for the pond is currently at 589', allowing for only 0.6' of freeboard. The pond top of bank elevation should be raised to at least 589.4'.
5. The Q10 and Q100 comparison for DS#1 in incorrect. The Q10 and Q100 listed are for the runoff on 91.4 acres rather than 110.6 acres.
6. Provide further detail on how the WQ unit will be accessed for maintenance.
7. Drain pipe schedule calculations for 15" HDPE while routing and box detail call for 12" pipe. Detail for WQ unit also calls for 15" pipe. This shall be revised.
8. Some work is to be preformed within the buffer. Provide method to drill homes to limit activity in the buffer and place note to not place equipment in buffer or disturb buffer.

CONDITIONS

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

Approved with conditions, (8-0) *Consent Agenda*

Resolution No. BL2007-287

“BE IT RESOLVED by The Metropolitan Planning Commission that 98P-003G-06 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

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

XI. OTHER BUSINESS

- 19.** Correction to May 22, 2003, Minutes

Approved, (8-0) *Consent Agenda*

Resolution No. BL2007-288

“BE IT RESOLVED by The Metropolitan Planning Commission that the Correction to the May 22, 2003 Minutes is **APPROVED. (8-0)**”

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- 20.** Employee contract renewal for Joni Priest.

Approved, (8-0) *Consent Agenda*

21. Executive Director Reports.

22. Legislative Update.

XII. ADJOURNMENT

The meeting adjourned at 6:50 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.