



**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**

*September 27, 2007*

\*\*\*\*\*

*4:00 PM*

*Metro Southeast at Genesco Park  
1417 Murfreesboro Road*

**PLANNING COMMISSION:**

James McLean, Chairman  
Phil Ponder, Vice Chairman  
Stewart Clifton  
Ann Nielson  
Tonya Jones  
Victor Tyler  
Derrick Dalton

**Staff Present:**

Rick Bernhardt, Executive Director  
Ann Hammond, Assistant Executive Director  
David Kleinfelter, Planning Mgr. II  
Nicki Eke, Legal Counsel  
Jason Swaggart, Planner I  
Bob Leeman, Planner III  
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  
Scott Adams, Planner I  
Steve Mishu, Water Services  
Jonathan Honeycutt, Public Works

**Commission members absent:**

Judy Cummings,

**I. CALL TO ORDER**

The meeting was called to order at 4:08 p.m.

**II. ADOPTION OF AGENDA**

Ms. Nielson moved and Mr. Clifton seconded the motion, which passed unanimously to adopt the agenda as presented. (7-0)

**III. APPROVAL OF AUGUST 23, 2007, MINUTES**

Mr. Ponder moved and Mr. Clifton seconded the motion, which passed unanimously, to approve the August 23, 2007, minutes as presented. (7-0)

**IV. RECOGNITION OF COUNCIL DISTRICT MEMBERS**

Councilmember Ryman spoke in favor of Items #1, 13 and 20; 2007CP-14G-04, 2007Z-152G-04 and 2007Z-160G-02 which were on the Consent Agenda scheduled for approval.

Council Gotto spoke in favor of Item #11, 2007SP-150G-14 originally scheduled for the Consent Agenda. However, he stated that if the item did not remain on the Consent Agenda he would address the Commission after it was presented for discussion.

Councilmember Jameson stated he would address the Commission if Item #6, 2006SP-178U-09, were removed from the Consent Agenda.

Councilmember Page acknowledged that Item #14, 2007Z-153U-11 was scheduled to be deferred indefinitely and requested that Item #25, 2007S-190U-11 also be deferred. She explained additional time was needed in order to meet with the developer as well as the neighbors concerning the Cato Bass Subdivision.

Councilmember Claiborne spoke in favor of Items #16 and 23, 2007SP-155U-14, Taxi USA of Tennessee and 2007S-248U-14, Addition to Martinwood Heights which were on the Consent Agenda for approval.

Councilmember Langster expressed issues with Item #22, 2007S-229U-08, October Homes. She stated she agreed with staff's recommendation that an environmental assessment should be completed on the proposal; and that a letter of approval for the development should be provided by the Metro Health Department.

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."

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

- |     |                |  |  |
|-----|----------------|--|--|
| 7.  | 2007SP-038G-10 | A request for final SP site plan approval to create 6 lots for 6 single-family, detached, dwelling units on a portion of properties located at 5638 and 5640 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (3.23 acres)   | – deferred to October 11, 2007 at the request of the applicant                                     |
| 8.  | 2007S-042G-10  | A request for development plan approval to create 16 lots on properties located at 5638, 5640, 5644 and 5648 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (13.97 acres), zoned SP  | – deferred to October 11, 2007, at the request of the applicant                                    |
| 14. | 2007Z-153U-11  | A request to change from CS to IWD zoning properties located at 2803 Foster Avenue and 311 Carter Street, at the southwest corner of Carter Street and Foster Avenue (4.36 acres)  | – deferred to October 25, 2007, at the request of the applicant                                    |
| 22. | 2007S-229U-08  | A request for concept plan approval to create 42 lots of which 32 lots are designated for single-family and 10 lots for duplex for a total of 52 dwelling units on properties located at 2400 and 2404 W. Heiman Street, and W. Heiman Street (unnumbered), approximately 1,850 feet east of Ed Temple Boulevard (19.81 acres), zoned R6 | – deferred indefinitely at the request of the applicant  |
| 25. | 2007S-190U-11  | A request for final plat approval to create 2 lots on property located at 706 Old Glenrose Avenue, approximately 160 feet north of Glenrose Avenue (2.16 acres), zoned RS10,   | -- deferred to October 11, 2007, as requested by Councilmember Page and agreed to by the applicant |
| 30. | 2007S-234U-05  | A request for final plat approval to create 2 lots on property located at 3816 Kingswood Avenue, approximately 300 feet north of Stratford Avenue (0.5 acres), zoned RS7.5   | – deferred to October 11, 2007, at the request of the applicant                                    |

37. 2007P-003U-12 A request for preliminary Planned Unit Development approval for property located at 749 Hill Road, approximately 1,820 feet east of Franklin Pike Circle (7.77 acres), zoned R40, to permit 8 single-family lots in a cluster-lot subdivision – deferred to October 25, 2007, at the request of the applicant

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

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

### **COMMUNITY PLANS**

1. 2007CP-14G-04 Amend the Madison Community Plan: 2006 Update for property located on Liberty Lane from Residential Low Medium Density to Office Concentration policy and to apply Special Policies on properties located northeast of Conference Drive and Vietnam Veterans Boulevard. - Approve Plan Amendment and Special Policies
2. 2007CP-15U-12 Amend the Southeast Community Plan: 2004 Update for property located along Bell Road east of Old Hickory Boulevard from Neighborhood General to Office Transition policy. - Approve Plan Amendment
3. 2007CP-16U-05 Amend the East Nashville Community Plan: 2006 Update for property located at on Riverside Drive and Waters Avenue from Residential Low Medium Density to Neighborhood Center policy. - Approve Plan Amendment
4. 2007TP-01-CW Mobility 2030: Countrywide Transportation Plan - A request to adopt Mobility 2030. Mobility 2030 is an update of Mobility 2010 and this update establishes Guiding Principles that address transportation and land use. - Approve

### **PUBLIC HEARING: ZONING MAP AMENDMENTS**

5. 2006SP-114U-10 West End Summit - Request for final SP site plan approval on property located at 112 and 108 17th Avenue North, 1600, 1612, 1616 and 1618 West End Avenue, and 121 and 125 16th Avenue North, located between 16th Avenue North, West End Avenue, 17th Avenue North, and Hayes Street, to permit the development of a 342,789 square foot hotel, 546,281 square feet of office space, and 47 condo units. - Approve w/conditions
6. 2006SP-178U-09 Signature Tower - Request for final SP site plan approval to permit the development of a 1,301,537 square foot building including 400 residential condos, 197 hotel rooms, and 12,714 square feet of street level retail/restaurant uses on property located at 501 Church Street. - Approve w/conditions
9. 2007SP-118U-05 Venita Axley Townhomes - Request to change from R10 to SP zoning property located at 942 Riverside Drive to permit the development of 3 new, detached, single-family townhomes and to retain 1 existing single-family home. - Approve with conditions, including conditions regarding additions to the existing single-family residence, and if the existing residence is replaced, conditions for a new single family residence, and subject to the approval of the associated Community Plan Amendment

- |                      |                |  |  |
|----------------------|----------------|--|--|
| 10.                  | 2007Z-149G-06  | A request to change from AR2a to RS10 zoning property located at 7972 McCrory Lane and a portion of property located at Beautiful Valley Drive (unnumbered).   | - Approve  |
| 12.                  | 2007SP-151U-13 | Bright Pointe - Request to change from AR2a to SP zoning properties located at 3781, 3791, 3799, and 3803 Pin Hook Road and Pin Hook Road (unnumbered) to permit 42 multi-family units and 57 single-family lots.  | - Approve w/conditions   |
| 13.                  | 2007Z-152G-04  | A request to change from IR, IWD, and RS7.5 to CS zoning properties located at 700 Edenwold Road and Edenwold Road   | - Approve  |
| 15.                  | 2007Z-154G-06  | A request to change from R20 and SCR to CL zoning properties located at 611 Old Hickory Boulevard.   | - Approve  |
| 16.                  | 2007SP-155U-14 | Taxi USA of Tennessee - Request to change from CS to SP zoning and for final site development approval for property located at 1510 Lebanon Pike to permit automobile convenience, vehicular rental/leasing, vehicular sales and service, limited, and all other uses permitted by the CS zoning district. | - Approve w/conditions   |
| 17.                  | 2007SP-156U-12 | National College - Request to change from AR2a to SP zoning properties located at Bell Road (unnumbered), at the southeast corner of Old Hickory Boulevard and Bell Road to permit a 2-story, 31,200 square foot business school.  | Approve with Conditions including the maximum height of the flagpole shall be 40 feet if any flag, other than the American flag, is flown and subject to approval of the associated Community Plan amendment |
| 18.                  | 2007Z-157U-13  | A request to change from AR2a to RM20 zoning property located at 3214 Murfreesboro Road, located within the Hamilton Hills Urban Design Overlay district.  | - Approve  |
| 20.                  | 2007Z-160G-02  | A request to rezone from R20 to RM2 property located at 1083 Old Dickerson Pike.   | - Approve  |
| 21.                  | 2007SP-162U-05 | Winberry Place - Request to change from CN and RS5 to SP zoning properties located at 927, 929, 1001, and 1003 Lischey Avenue to permit 6 single-family homes, 3 townhome units, and a 2-story mixed-use building.   | - Approve w/conditions   |
| <b>CONCEPT PLANS</b> |                |  |  |
| 23.                  | 2007S-246U-14  | Addition to Marinwood Heights - Request for concept plan approval to create 8 lots on property located at 410 Donelson Pike.   | - Approve w/ conditions  |
| <b>FINAL PLATS</b>   |                |  |  |
| 24.                  | 2007S-147U-10  | Talley Property - Request for final plat approval to create two lots from three parcels located at 2699, 2711 Franklin Pike and Franklin Pike (unnumbered).  | - Approve with conditions, including a variance to Section 2-1.2 of the Metro Subdivision Regulations to allow the subdivision to be approved as a minor subdivision   |
| 26.                  | 2007S-218G-14  | Woods Street - Request to relocate a house from 774 East Main Street in Hendersonville (Sumner County) to vacant property located at Woods Street (unnumbered), approximately 100 feet north of Fourth Street.   | - Approve  |

- |     |               |  |  |
|-----|---------------|--|--|
| 27. | 2007S-222G-04 | Strong Tower II - Request for final plat approval to create 2 lots on property located at Larkin Springs Road (unnumbered), approximately 100 feet north of Bubbling Well Road.  | - Approve, including a variance to the requirements of Section 3-4.2.f of the Subdivision Regulations for lot depth to width ratio |
| 31. | 2007S-242U-10 | A request for final plat approval to create 2 lots including a variance from sidewalk requirements for property located at 2119 Sharondale Drive, approximately 190 feet south of White Oak Drive (0.56 acres), zoned SP | - Approve with conditions, including a variance from the sidewalk requirements   |
| 32. | 2007S-243G-04 | 505 B Charles Drive - Request to relocate a house from 1007 Joyce Lane in Nashville to vacant property located at 505 B Charles Drive.   | - Approve  |

**REVISIONS AND FINAL DEVELOPMENT PLANS**

- |     |                |   |                        |
|-----|----------------|---|------------------------|
| 33. | 191-69-G-14    | Priest Lake Center PUD - Request to revise the preliminary plan and for final approval for a portion of the Priest Lake Center Planned Unit Development located at 4021 Mills Road, to permit a 13,125 square foot office/retail building, where a 9,097 square foot hotel had been previously approved.  | - Approve w/conditions |
| 34. | 18-84-U-10     | Burton Hills, Rev. Lot 1 PUD - Request to revise the preliminary plan for a portion of the Burton Hills Planned Unit Development located at 1 Burton Hills Boulevard to permit a 54,000 square foot office building and parking where surface parking was previously approved.  | - Approve w/conditions |
| 35. | 239-84-U-13    | Canter Chase PUD - Request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development located at 1909 Murfreesboro Pike, for final approval to permit a 6,850 sq. ft. restaurant, and preliminary approval to revise the remaining portion of the plan to permit 30,000 sq. ft. of office/retail, a 6,000 sq. ft. restaurant, and a 4,200 sq. ft. restaurant, replacing 33,800 sq. ft. of office/retail uses and a 6,000 sq. ft. restaurant, and a 4,200 sq. ft. restaurant. | - Approve w/conditions |
| 36. | 89P-003G-06    | Still Springs Ridge, Ph. 1 Final PUD - Request for final approval for a portion of the Still Springs Ridge Planned Unit Development located at Hicks Road (unnumbered) and terminus of Still Spring Hollow Drive to permit 101 single-family lots in 4 sections.  | - Approve w/conditions |
| 38. | 2006IN-001U-10 | David Lipscomb University - Request to revise a portion of the preliminary master plan for the David Lipscomb University Institutional Overlay district located between Granny White Pike and Belmont Boulevard to revise the layout of the approved Residential and Arts Villages and for final approval to construct four residential apartment buildings and a 500 square foot design lab addition.  | - Approve w/conditions |
| 39. | 2001UD-001G-12 | Lenox Village, Phase 8, Rev. Lots 618-624 - Request to revise a phase 8 of the approved final UDO, and for final approval for that portion of the Urban Design Overlay district located at Avery Park Drive (unnumbered), at the southeast corner of Avery Park Drive and Stone Lane to create 174 town homes, 22 single-family rear access lots, and 43 single-family street access lots   | - Approve w/conditions |

**OTHER BUSINESS**

- 41. 2002S-278G-13 -- Arbor Crest Subdivision -- Request for an extension of approval - Approve for an expired preliminary plat.
- 42. New employee contract for Matt Meservy. -Approve

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

**VII. COMMUNITY PLANS**

**1. 2007CP-14G-04**

A request to amend the Madison Community Plan: 2006 Update for property located on Liberty Lane (13 acres) from Residential Low Medium Density to Office Concentration policy and to apply Special Policies on properties located northeast of Conference Drive and Vietnam Veterans Boulevard (approximately 62 acres).

**Staff Recommendation: Approve Plan Amendment and Special Policies**

**APPLICANT REQUEST** -A request to amend the Madison Community Plan: 2006 Update for property located on Liberty Lane (13 acres) from Residential Low Medium Density to Office Concentration policy and to apply Special Policies on properties located northeast of Conference Drive and Vietnam Veterans Boulevard (approximately 62 acres).

**CURRENT POLICY**

**Residential Low Medium (RLM)** RLM policy is intended to accommodate residential development within a density range of two to four dwellings units per acre. The predominant development type is single-family homes.

**PROPOSED LAND USE POLICY**

**Office Concentration (OC)** OC is intended to accommodate primarily office uses. It is applied to areas of existing and future large concentrations of office development. While the predominant land use is office, accessory uses could also include certain types of commercial uses that cater to office workers, such as restaurants or banks. Residential uses of at least Residential Medium High (RMH) density are also an appropriate secondary use.

**BACKGROUND-** In the Madison Community Plan, the majority of the study area included in the Special Policy boundary, was designated as OC policy while the remaining portion was slated to remain RLM because of topography and poor accessibility. OC policy was deemed appropriate because of the developing pattern of office uses in the area.

Currently, the area contains a mixture of commercial and higher density residential. The Rivergate Regional Activity Center is to the south, office land uses exist to the west, single-family, two-family and multifamily residential uses to the north, and vacant land to the east (a single-family subdivision has been approved for this property). There is limited access to area through Liberty Lane, which currently only connects with Gallatin Pike to the south. To improve accessibility, the area would have to obtain access from Conference Drive to the west.

**COMMUNITY PARTICIPATION** -Two community meetings were held on August 16 and September 13, 2007, to discuss the plan amendment. In total, 11 people attended the first community meeting and 10 people attended the second meeting. The meeting attendees were in support of the plan amendment and its potential to provide guided development opportunities in the area.

**ANALYSIS**

**Existing Policy Guidance** The requested amendment is in keeping with the following goals and objectives of the Madison Community Plan: 2006 Update.

The Madison Community Plan encourages continuation of the commitment made to office uses in this area through the existing OC land use policy. While office land use is appropriate, the community plan also states that RLM areas

are more appropriate for residential at low to medium densities where topography or access may be less than adequate.

The special policies developed with this plan amendment, encourage the guided development of office uses, and also encourage residential or low intensity office in areas that were previously RLM policy, keeping in line with the vision of lower intensity use because of topography and access.

**PROPOSED SPECIAL POLICIES** - The following special policies apply to entire study area. The special policies provide additional guidance for the development of this area into office land uses and if included, identifying appropriate areas and density for the residential land uses.

Special Policy A: Residential component of Office Concentration policy should remain between 4 – 9 units per acre and should be located adjacent to existing residential development to create an appropriate transition between non-residential land uses and the existing and proposed residential land uses.

Special Policy B: The development should be permeable and should contain a high level of automobile and pedestrian connectivity between residential and non-residential uses. Any street connections should align with existing streets where practicable and should provide access from Conference Drive to Liberty Lane.

Special Policy C: Non-residential development along Conference Drive should provide landscaping and buffering and should place parking beside or behind the building to preserve the existing green space along Conference Drive.

Special Policy D: Building heights should step down from a maximum of 7 and 5 stories for non-residential land uses near Conference Drive and Vietnam Veterans Boulevard to a maximum of 3 stories for non-residential or residential land uses near existing residential land uses near Liberty Lane and the existing Windsor Green Subdivision.

Special Policy E: Buffering in the form of landscaping or fencing should be provided where office and residential land uses are abutting.

Special Policy F: Retail uses within Office Concentration should be limited because of the close proximity of existing retail and commercial land uses.

Approved Plan Amendment and Special Policies, (7-0) *Consent Agenda*

**Resolution No. BL2007-298**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-14G-04 is **APPROVED PLAN AMENDMENT AND SPECIAL POLICIES. (7-0)**”

**2. 2007CP-15U-12**

A request to amend the Southeast Community Plan: 2004 Update for property located along Bell Road east of Old Hickory Boulevard from Neighborhood General to Office Transition policy.

**Staff Recommendation: Approve Plan Amendment**

**APPLICANT REQUEST** -A request to amend the Southeast Community Plan: 2004 Update for property located along Bell Road east of Old Hickory Boulevard from Neighborhood General to Office Transition policy.

**CURRENT LAND USE 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.

**ROPOSED LAND -PROPOSED LAND USE POLICY**

**Office Transition (OT)** - OT policy allows for small offices intended to be used 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.

**COMMUNITY PARTICIPATION** -A community meeting was held on September 10, 2007, at the McMurray Middle School cafeteria. It was attended by about 15 people. Support was evident for the plan amendment and an associated Specific Plan for the area, discussed below. A number of people had specific concerns about access and stormwater issues. It was agreed to discuss these further at a future community meeting to be sponsored by the Councilmembers later in the rezoning process.

**ANALYSIS** - This plan amendment request is associated with a Specific Plan zone change proposal for a small business college in the form of a two-story, 30,000 square foot office building on the two properties that are on the east side of Old Hickory Boulevard. The property on the west side of Old Hickory Boulevard is not being considered for rezoning at this time.

Staff is recommending approval of the amendment to establish an office transition between the Neighborhood Center to the north and west and adjacent residential policy areas to the east because it is reasonable to place such a transition between the lower and higher intensity policy categories at this location. The site faces nonresidential uses and zoning across Bell Road and is adjacent to such uses to the west.

Approved Plan Amendment, (7-0) *Consent Agenda*

**Resolution No. BL2007-299**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-15U-12 is **APPROVED PLAN AMENDMENT.**”

**3. 2007CP-16U-05**

A request to amend the East Nashville Community Plan: 2006 Update for property located at on Riverside Drive and Waters Avenue (1.29 acres) from Residential Low Medium Density to Neighborhood Center policy.

**Staff Recommendation: Approve Plan Amendment**

**APPLICANT REQUEST** - A request to amend the East Nashville Community Plan: 2006 Update for property located at on Riverside Drive and Waters Avenue (1.29 acres) from Residential Low Medium Density to Neighborhood Center policy.

**CURRENT POLICY**

**Residential Low Medium (RLM)** - RLM policy is intended to accommodate residential development within a density range of two to four dwellings units per acre. The predominant development type is single-family homes.

**PROPOSED LAND USE POLICY**

**Neighborhood Center (NC)** - The general characteristics and intent of NC policy are small intense areas that may contain multiple functions, and are intended to act as local centers of activity. Ideally, areas containing NC policy are “walk – to” areas within a five minute walk of the surrounding neighborhood it serves.

The types of uses appropriate within a NC policy include single-use or mixed-use “neighborhood scaled commercial” generally situated at an intersection or on prominent corners within the neighborhood. Examples of uses include a small grocery store, or barber shop or buildings with ground level commercial and residential above.

Residential uses within NC policy are generally at medium to high density single and multi-family housing. This allows for additional “eyes on the street”, to protect the activity center it surrounds.

**BACKGROUND** -The applicant made the initial request for an SP rezoning in May 2007. The SP includes three townhome units on approximately 0.34 acres fronting Riverside Drive and Waters Avenue. During public meetings for the SP, the community expressed concern over the density and design of the town homes and the site. The land use policy was determined to be conflicting and a plan amendment was needed. Staff worked with the applicant to improve the site design and amend the land use policy to support the proposed density of the associated SP rezoning.



**COMMUNITY PARTICIPATION** - Two community meetings were held on June 11 and August 28, 2007, to discuss the plan amendment and associated SP rezoning. In total, 10-15 people attended the first community meeting and four people attended the second meeting including District 7 Councilmember. At the first meeting, the majority of participants expressed concern over the site plan and increase in density on the property. The proposed density would increase to 8.88 dwelling units per acre under the proposed SP zoning, from 4.63 dwelling units under the current zoning.

At the second meeting, revised site plans were presented and questions were answered regarding the proposed density, the SP rezoning, and the plan amendment. The meeting attendees were satisfied with the revised site layout and the land use policy amendment RLM to NC.

#### **ANALYSIS**

**Existing Policy Guidance** - The requested amendment is in keeping with the following goals and objectives of the East Nashville Plan: 2006 Update.

The East Nashville Plan promotes the preservation and enhancement of neighborhood retail nodes. The placement of NC policy will work to enhance the existing neighborhood center. It will provide a residential component while creating a more defined edge between the existing neighborhood center and surrounding residential.

Approved Plan Amendment, (7-0) *Consent Agenda*

**Resolution No. BL2007-300**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007CP-16U-05 is **APPROVED PLAN AMENDMENT. (7-0)**”

#### **4. 2007TP-01-CW** Mobility 2030: Countywide Transportation Plan

A request to adopt Mobility 2030. The General Plan, (Concept 2010) guides growth and development and includes functional plans; the transportation plan, Mobility 2010, was last updated in 1992. Mobility 2030 is an update of Mobility 2010 and this update establishes Guiding Principles that address transportation and land use.

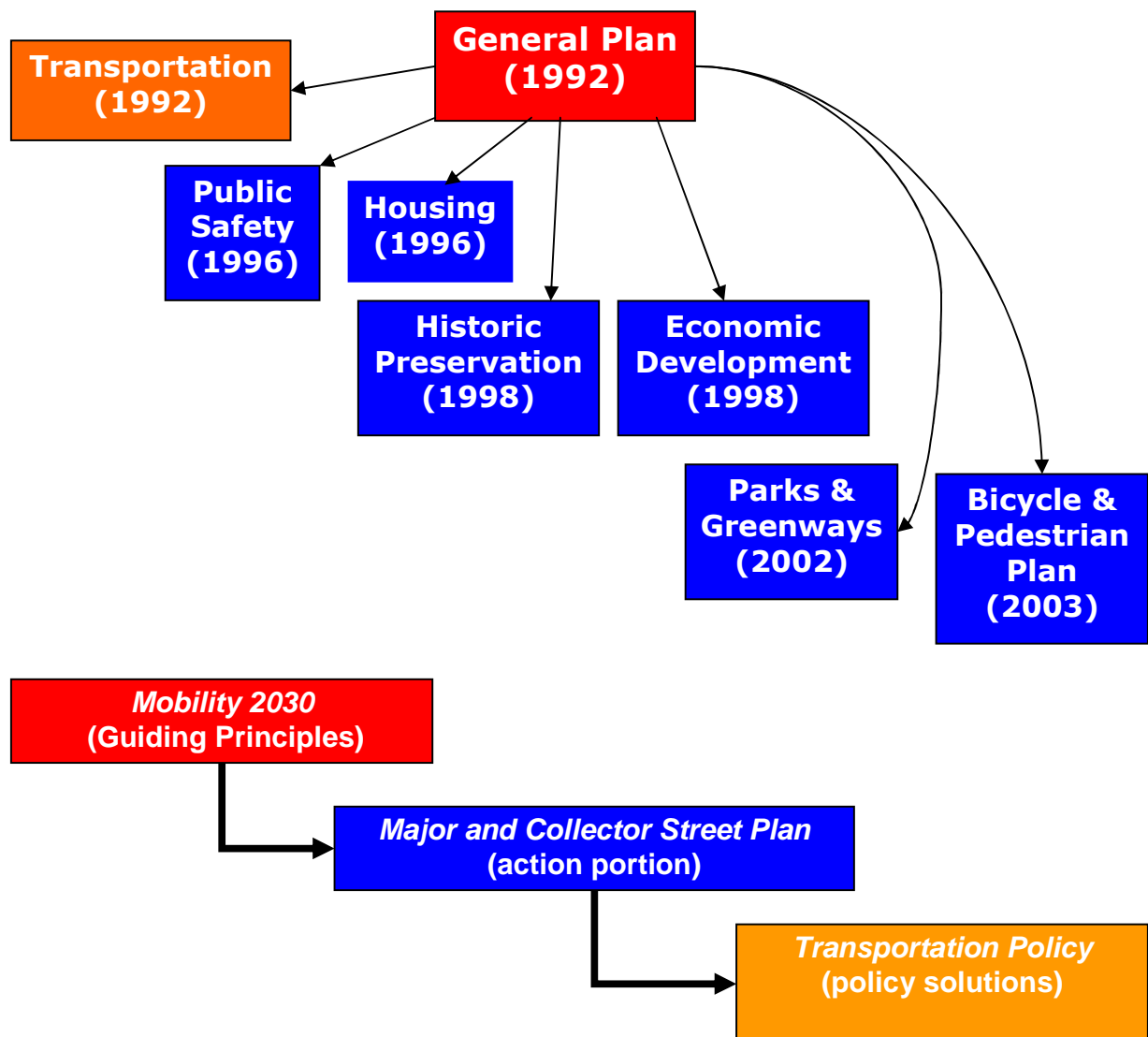
**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to adopt *Mobility 2030*. The General Plan, (Concept 2010) guides growth and development and includes functional plans including the transportation plan, Mobility 2010, which was last updated in 1992. Mobility 2030 is an update of Mobility 2010, which establishes Guiding Principles that address transportation and land use.

#### ***MOBILITY 2030***

**Summary** - *Mobility 2030* is one of the functional plans of the General Plan, *Concept 2010*, which guides growth and development in Metro Nashville/Davidson County (see diagram on next page, with year of last update in parentheses). *Mobility 2030* will eventually consist of three products – the Guiding Principles document, the Major and Collector Street Plan and Transportation Policy document.

The document before the Metro Planning Commission outlines Guiding Principles – the philosophy with which all transportation decisions by public and private entities should comply. The Guiding Principles are used to create the second product – an update of the *Major and Collector Street Plan* (see three-part diagram below). The Guiding Principles also provide a basis for Transportation Policy recommendations including changes to the Zoning Code and Subdivision Regulations, as well as changes to Metro’s economic development and environmental protection policies.



**Guiding Principles (philosophy)** *Mobility 2030* is an update of *Mobility 2010* and establishes Guiding Principles that address transportation and land use from a comprehensive view to:

- Ensure good working order of street, sidewalk, bicycle, transit and freight networks,
- Promote growth and development patterns that reduce trip lengths, and
- Provide transportation choices for people regardless of income, age or disability.

**Major and Collector Street Plan (action portion)** - Once the Guiding Principles are established, they will influence the *Major and Collector Street Plan* update. This plan update will also reflect a Context Sensitive Solutions (CSS) approach.

CSS is a transportation/land use approach that:

- Involves and balances stakeholder needs;
- Allows flexibility in design guidelines and standards; and
- Designs a transportation system and individual roads that serve all users regardless of travel mode.

**Transportation Policy (Zoning, Subdivision amendments)** - Discussion generated by the adoption of the Guiding Principles and update of the *Major and Collector Street Plan* will result in policy changes proposed to the Metro Council and Metro Departments. These could take the form of changes to the Zoning Code, Subdivision Regulations and policies guiding Metro to meet its own transportation needs.

**Why is *Mobility 2030* Necessary?** State and local law recognize the need for orderly development and charge planning commissions with creating community plans. Land use planning and transportation planning are closely connected, making a transportation plan an important component of planning for orderly and more predictable development.

The General Plan, and increasingly, community stakeholders, demand that the impact of transportation choices the environment and on the health of communities be considered. *Mobility 2030* considers land use objectives, mobility objectives and desired development patterns to effectively shape Metro's transportation system.

**How was *Mobility 2030* created?** This plan takes its direction from four main sources:

1. **Existing Plans** – Nashville area transportation and land use plans
2. **Best Practices** – Innovative land use and transportation practices from other cities/regions
3. **Existing Conditions and Future Trends** – Existing conditions and future forecasts for demographics, funding, etc.
4. **Public Involvement** – Staff held five community meetings between June 7 and July 11, 2007 to engage the community in creating the Guiding Principles of *Mobility 2030*. Staff also met with the Nashville Chamber of Commerce's Transportation Committee to present the document and receive feedback.

**What are the Impacts of *Mobility 2030*?** Because growth and development decisions have long-lasting impacts, the guiding principles are useful for private stakeholders (developers, property owners, residents) and public stakeholders (elected officials, government agencies) in linking land use and transportation choices. This plan:

- **Establishes a long-term vision** (15 to 20 years)
- **Provides guidance for officials making Metro-funded infrastructure decisions**
  - Providing services and facilities to support development
  - Prioritizing investments to make efficient use of public funds
- **Informs private-sector transportation improvement decisions by providing guidance to zone change and subdivision requests**

**Guiding Principles** - Balancing the community's vision with sound planning principles, Metro Planning Commission staff developed the following guiding principles for Nashville/Davidson County's transportation functional plan. *Mobility 2030*'s recommendations, goals and objectives are all crafted to implement these guiding principles:

### **1. Create Efficient Community Form**

Strategically linking land-use decisions and transportation investments to create meaningful transportation options should be a priority in all subdivision and zoning decisions. Strategies that serve businesses, residents and visitors include:

1. Encouraging and prioritizing development that provides density and mixed-use in appropriate locations.
2. Locating development to capitalize upon existing transportation options and prioritizing transportation investments to serve future development.
3. Creating or improving street connectivity and capacity at the neighborhood and regional level.
4. Creating and adjusting street cross sections to compliment their land use context.
5. Updating and enforcing the Zoning Code and Subdivision Regulations regarding parking, access management, lot orientation and block size. Current regulations that support sustainable development include:
  - a. **Urban Zoning Overlay (UZO)** – allows flexibility with setback, parking requirements in older sections of Nashville (generally, former City of Nashville city limits);
  - b. **Specific Plan (SP)** – zoning that requires site-specific design;
  - c. **Adaptive Residential Development (ARD)** – zoning that allows residential redevelopment of underutilized commercial and industrial land along major streets with the UZO; and
  - d. **Walkable Subdivision Standards** – encourages connected streets, human-scale blocks (less than 600 feet long), buildings fronting to the street.

### **2. Offer Meaningful Transportation Choices**

Changeable energy prices and sources, concerns about the environmental impacts of transportation choices and changing demographics highlight the need for a truly multimodal transportation system. The continued viability of

Nashville depends on providing adequate mobility to provide for the needs of residents, businesses and visitors. Strategies include:

1. Reducing trip lengths and providing multiple routes through more direct street/route connectivity.
- a. Encouraging network connectivity (street, sidewalk, greenway, transit, bike/pedestrian, freight) when possible in new and infill development:
  - E.g. Path easements from cul-de-sacs leading to the next street to ensure shorter, more direct routes between destinations.
- b. Amending the Zoning Code to encourage mixed-use development that provides services in closer proximity to other uses, namely housing;
  - E.g. Create a transit overlay district that allows higher densities, reduced parking requirements, more flexible floor-area-ratios (FAR), etc.
2. Enabling bicycling and walking to be reasonable alternatives to single occupant vehicles for short or non time-sensitive trips.
3. Enabling effective transit by making vehicles and their supporting infrastructure
- a. **Efficient** (this may take the form of dedicated lanes on major streets/highways, signal priority for transit vehicles, and selective routing choices based, in part, on land use/urban design patterns);
- b. **Comfortable** (shelters, lighting, clearly-marked route signs/timetables, easy and timely transfers); and
- c. **Reliable** (adequately spaced stops, dedicated lanes, “Transit Tracker” phone hotlines and electronic display boards).
4. Expanding the transportation system’s capacity to serve a variety of needs, including low-income households, children, seniors and people with disabilities.

### 3. Sustain and Enhance the Economy

Every element of Nashville’s economy relies on transportation, therefore, decisions on transportation improvements should be judged on their ability to efficiently move people and goods. Strategies include:

#### Moving People

1. Creating and maintaining a well-connected, distributive surface street network for multiple modes. This includes developing and redeveloping arterial streets through access management, especially for trips of 5 miles or less, since investments in arterial projects can cost one-tenth to one-fifth the cost of highway improvements.<sup>1</sup>
2. Managing congestion as a situational issue (ex. time of day, weather, accidents, work/school zones) in addition to a capacity issue (ex. road widening, interchange construction).
3. Placing high priority on services, incentives and infrastructure that provide alternatives to driving alone.

#### Moving Goods

1. Designating freight-only lanes on Interstate highways and major freight corridors.
2. Encouraging flexible delivery schedules and maintaining reliable travel times.
3. Expand network (street, sidewalk, transit, etc.) capacity where managing congestion is not adequate to provide desired mobility.

### 4. Value Safety and Security

Decisions about Nashville/Davidson County’s transportation system should maintain and improve safety and security. This is not only important for residents and visitors, but also for the community’s economic strength. Strategies include:

1. Reducing traffic fatality and injury rates by placing a high priority on public and private investments that address safety, including speed management, intersection safety and highly-visible signage/pavement markings for all modes.
2. Using traffic management program (ex. enforcement, physical design changes, visual changes) where necessary to address existing conditions, in addition to designing:
  - a. Neighborhood-scale development that self-regulates speeds at 30 mph on local streets; and
  - b. Regional-scale development that self-regulates speeds at 40 mph on collector and arterial surface streets.
3. Increasing the transportation system’s resilience to events ranging from common events (e.g. stalled vehicles, accidents) to extraordinary events (e.g. natural disasters, utility failures) through network connectivity and redundancy (e.g. multiple bridges crossing the Cumberland River, better connected surface streets).

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<sup>1</sup> Cumberland Region Tomorrow, *A Report to the Region*, 2003, 18.  
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**5. Protect Human Health and the Environment**

Transportation improvements should be made in a manner that enhances personal health by providing opportunities for active living as well as overall environmental quality. Strategies include:

- 1. Avoiding or minimizing impacts to ecological systems when undertaking transportation improvements.
- 2. Improving air quality via actions that reduce or prevent emissions such as using alternate travel modes for short trips, trip-chaining (combining errands), reducing trip distances and synchronizing traffic signals.
- 3. Improving water quality via actions that reduces or prevents stormwater run-off such as pervious paving materials and rainwater gardens.
- 4. Improving opportunities for Active Living (walking, bicycling, general physical activity) and overall community health.

**6. Ensure Financial Responsibility**

Transportation improvements should be weighed for their ability to leverage investment to achieve long-term community objectives such as closer proximity of uses, strategically-located development and economic development/ revitalization. Development, whether undertaken by government agencies or private developers, should meet the guiding principles described above. Strategies include:

- 1. Reusing and re-allocating right-of-way to provide:
  - a. Reduced transit travel times;
  - b. Sidewalks, bike lanes, landscaping, or on-street parking; and
  - c. Adequate maintenance of existing infrastructure (street and sidewalk paving, bridge stability, water and sewer line durability) before creating new infrastructure, i.e. “Fix it first.”
- 2. Seeking more stable and innovative funding for future multi-modal transportation projects (e.g. dedicated funding).
- 3. Encouraging development and transportation projects to reflect their *full* development cost including, for example, the cost of parking or additional capacity demands, long-term maintenance, short-term versus long-term costs.

**7. Address Transportation from a Regional Perspective**

The economic success of Nashville/Davidson County and its neighboring communities are linked through jobs, housing and environmental quality (air/watersheds). At the same time, communities compete for tax revenue, jobs and housing. Acknowledging these competing demands and creating a transportation system that benefits the entire region is crucial. Strategies include:

- 1. Considering the regional impacts of transportation and land use decisions.
- 2. Working closely with the Nashville Area Metropolitan Planning Organization (MPO) on transportation planning.
- 3. Working closely with Cumberland Region Tomorrow (CRT) on land use planning.
- 4. Considering models from other regions.
- 5. Considering regional funding for transportation.
- 6. Involving transit agencies in the development review process.

**Staff Recommendation** -Approve the request to adopt *Mobility 2030*.

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-301**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007TP-01-CW is **APPROVED. (7-0)**”

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

- 5. **2006SP-114U-10**  
West End Summit (Final)  
Map 092-12, Parcels 447, 450, 451, 452, 455, 457, 458, 459, 460, 461, 462  
Subarea 10 (2005)  
Council District 19 - Erica S. Gilmore

A request for final SP site plan approval on property located at 112 and 108 17th Avenue North, 1600, 1612, 1616 and 1618 West End Avenue, and 121 and 125 16th Avenue North, located between 16th Avenue North, West End Avenue, 17th Avenue North, and Hayes Street (3.93 acres), to permit the development of a 342,789 square foot hotel, 546,281 square feet of office space, and 47 condo units, requested by Littlejohn Engineering Associates, applicant, for Alex S. Palmer & Company and Alex S. Palmer, owners.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Final Site Plan**

A request for Final SP site plan approval for 3.93 acres of property located at West End Avenue at the Broadway split, between 16<sup>th</sup> Avenue North, 17<sup>th</sup> Avenue North and Hayes Street, to permit the development of a 342,789 square foot hotel, 546,281 square feet of office space, and 47 condo units in two towers with 23 and 25 stories above grade.

**Plan Details** - The proposed plan is for two large towers. The first tower with 25 stories above grade contains a 342,789 square foot hotel building and 47 condominium units. The second tower with 23 stories above grade contains 546,281 square feet of office floor area. The plan also includes two restaurants totaling 20,498 square feet and 6,824 square feet of retail space in the hotel. The site plan is designed with a front “motor court” drop-off in the front courtyard area of the two buildings. Access to the parking garages is proposed at the rear of the site along 16<sup>th</sup> Avenue North and Hayes Street. The loading areas are proposed along 17<sup>th</sup> Avenue North.

The plan is consistent with the preliminary SP district approved by Council. Staff is recommending that the plan include more detailing on the parking garage façades, including more grillwork or glazing to provide a more visually appealing quality. The applicant has agreed to provide more detailing and will incorporate additional elements into the final building permit plans. Staff is recommending this as a condition of approval.

This SP district was created to establish a maximum building height of 400 feet and build-to lines for a mixed-used building complying with all other provisions of the MUI zoning district. This Final Site plan includes a building height of 376 feet.

**Staff Recommendation** - The proposed final site plan is consistent with the council approved plan. Staff recommends approval with conditions.

**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.

- Identify general plan for solid waste disposal and recycling collection.
- Construct ADA compliant sidewalks. Provide a minimum five foot clear path of travel. Provide any required easements for sidewalks and future signal improvements.
- Reconstruct the northeast corner of 16th Avenue and West End Avenue/Broadway to provide a minimum 25 foot curb radius.
- Restripe 16th Avenue between West End Ave./Broadway and Hayes Street to provide a continuous three lane cross section with a center two-way left turn lane. Dedicated left turn lanes shall be provided at West End Ave./ Broadway and Hayes Street with a minimum of 50 ft of storage.
- Restripe West End Ave. to provide 3 westbound lanes between 16th Avenue and 17th Avenue.
- Restripe West End Ave. to provide a center two-way left turn lane between 16th Avenue and 17th Avenue. A dedicated left turn lane shall be provided at 17th Avenue with a minimum of 75 ft of storage. Hatching shall be provided on West End Ave. at 16th Avenue where left turns are prohibited.
- Modify the traffic signals as necessary at the intersections of West End Ave. at 16th Avenue and West End Ave. at 17th Avenue.
- Coordinate with Public Works prior to final U&O for any on-street parking changes along Hayes Street.

- Restripe 17th Avenue to provide a dedicated southbound left turn lane at West End Ave. with a minimum of 75 ft of storage.

**STORMWATER RECOMMENDATION** - Approved

**CONDITIONS**

1. Prior to the issuance of any building permits, the plans must be revised to include detailing on the parking garage façades, including grillwork or glazing to provide a more visually appealing quality.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the MUI district shall apply.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements in public rights-of-way. Public infrastructure improvements must be bonded, completed or satisfied prior to final plat recordation.
5. All signage not included in the final site plan must be approved by the Planning Commission staff as part of the building permit approval process.

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.

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

**Resolution No. BL2007-302**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-114U-10 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of any building permits, the plans must be revised to include detailing on the parking garage façades, including grillwork or glazing to provide a more visually appealing quality.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the standard Zoning Code requirements of the MUI district shall apply.
3. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements in public rights-of-way. Public infrastructure improvements must be bonded, completed or satisfied prior to final plat recordation.
5. All signage not included in the final site plan must be approved by the Planning Commission staff as part of the building permit approval process.

6. **2006SP-178U-09**  
Signature Tower (Final)  
Map 093-061, Parcel 082  
Subarea 9 (2007)  
Council District 6 - Mike Jameson

A request for final SP site plan approval to permit the development of a 1,301,537 square foot building including 400 residential condos, 197 hotel rooms, and 12,714 square feet of street level retail/restaurant uses on property located at 501 Church Street, at the southwest corner of Church Street and 5th Avenue North (1.22 acres), requested by Gresham Smith & Partners, applicant, for Signature Holdings LLC, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Final Site Plan**

A request for Final SP site plan approval on 1.22 acres located at the southwest corner of Church Street and 5th Avenue North, to permit development of a 1,301,537 square foot building, including 400 residential condo units, a 197 room hotel, and 12,714 square feet of street level retail/restaurant uses.

**PLAN DETAILS** - The Metropolitan Development and Housing Agency (MDHA) Design Review Committee approved the final plans for this project on August 21, 2007. This project is located in the Capitol Mall Redevelopment District.

The proposed Final Site Plan is consistent with the Preliminary SP plan approved by Metro Council in January 2007. Signature Tower is a 70-story building rising to a height of 1,030 feet. The building includes 400 residential condo units, a 197 room hotel, and first floor restaurant and retail uses. There are five levels below grade consisting of 636 parking spaces.

In addition to the tower, there is a “base” element that is now designed to be consistent with the main tower element. Originally, the plan called for the base element to be designed in a style to contrast with the modern tower and echo the facades of the surrounding downtown buildings such as the Ryman Auditorium, St. Cloud Corner and the Downtown Presbyterian Church, but the plan was changed through the MDHA Design Review Committee and is now consistent with the Capitol Mall Redevelopment District. Section 17.40.106 C of the Zoning Code requires development with SP districts to be consistent with the requirements of the SP district approved by Council, as well as any adopted redevelopment district, whichever is more restrictive. Although the Council-approved plan called for a more classical style on the base element, the MDHA Design Review Committee’s approval called for a different architectural design than the preliminary SP plan. Staff recommends approval of the plans, as submitted. Although the base building façade is slightly different than what the Council approved, it is consistent with the MDHA Design Review Committee requirements. The overall building design is consistent with the SP district approved by Council.

The base element will contain uses that create an active street level. The residential units and hotel rooms are located in the tower. The base contains a restaurant, meeting rooms and ballrooms for the hotel, and an amenity pool, deck and grill area on the roof.

Parking is provided on-site for all residential uses at a ratio of one space per bedroom. Additional off-site parking will be provided through a valet service for the hotel and restaurant uses. The plan is consistent with the UZO requirements for parking.

**Pedestrian Environment** - Since there is a proposed vehicular drop-off lane for hotel valet parking along 5<sup>th</sup> Avenue North, pedestrians will be required to walk around the pull-in area, under the proposed porte-cochere and into the hotel/condo private space. A pedestrian easement is proposed where the public will walk around the valet, pull-in area. Staff has been working with the applicant to make pedestrian travel along 5<sup>th</sup> Avenue North safer and less inconvenient for pedestrians walking in front of the proposed building. This has been accomplished by increasing the travel path between the valet pull-in area and the “base” building by about 2.5 feet in width to a total of 11.5 feet in width by reducing the overall width of the valet pull-in area. Planters and bollards have also been included on the plan and agreed upon by the applicant. Special pavement around the valet parking area is also proposed so that pedestrians can clearly distinguish the different zones.



Reason for SP - The SP was originally adopted, in place of the Central Core (CC) zoning to allow for a maximum floor area ratio (FAR) greater than the CC maximum of 15, that is, the maximum square footage of the building can be 15 times the area of the site. The maximum allowable FAR for this project is 20. A FAR of 18.5 is included in this Final Site Plan.

Staff recommendation - Staff recommends approval with conditions.

**PUBLIC WORKS** - 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.

- Vaults are to be ADA compliant.
- Canopies are not to overhang into roadway.
- Encroachment agreements are required for all private canopies, utilities, infrastructure, etc. located within the right of way.
- Provide access easement for pedestrian route outside of right of way.

**STORMWATER RECOMMENDATION** - Approved

**CONDITIONS**

1. Bollards shall be installed around the valet pull-in area on 5<sup>th</sup> Avenue North to provide a buffer between the vehicular area and the pedestrian area, and shall be in compliance with the Downtown Streetscape Elements Design Guidelines.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met.
3. These plans as approved by the Planning Commission will be used 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.
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. The revised plans must be received within 60 days of Metro Council's final approval.
5. In order to achieve more sustainable design, it is the expressed intent of the Metropolitan Council that this development is required to achieve Leadership in Environmental and Energy Design (LEED) certification. A LEED Accredited Professional assigned by the property owner shall monitor all design and construction. Prior to issuance of a temporary certificate of occupancy for any use of the development, a report (including an executive summary and a LEED scorecard including four levels of probability of attainment for each classification of LEED point scoring) shall be provided by an independent LEED Accredited Professional for review by the Department of Codes Administration. The report shall indicate that, where feasible, all construction practices and building materials used in the construction are in compliance with the LEED certified plans and shall report on the likelihood of certification. If certification appears likely, certificates of occupancy (as set forth below) may be issued. Quarterly reports shall be provided as to the status of certification and the steps being taken to achieve certification.
6. To ensure that LEED certification is attained the Department of Codes Administration is authorized to issue a certificate of occupancy once the building is otherwise completed for occupancy and prior to attainment of LEED certification. Provided, however, that in the event that LEED certification is not obtained within twelve (12) months of the issuance of a certificate of occupancy, Developer shall be responsible for payment of a LEED noncompliance fee of \$50 per day until such time as LEED certification is obtained and evidence of such certification is provided to the Department of Codes Administration. If LEED

certification is not obtained within fifteen (15) months of a certificate of occupancy, then the LEED noncompliance fee (for each month after the fifteenth month) will increase to \$75 per day until such time as LEED certification is obtained and evidence of such certification is provided to the Department of Codes Administration. If LEED certification is not obtained within eighteen (18) months of a certificate of occupancy, then the LEED noncompliance fee (for each month after the eighteenth month) will increase to \$100 per day until such time as LEED certification is obtained and evidence of such certification is provided to the Department of Codes Administration.

7. To ensure that LEED certification is maintained, the property owner is required to hold a valid certificate of LEED compliance for a period of 10 years following initial certification. This certificate shall be issued by the Department of Codes Administration following the presentation of information by the property owner or their authorized agent that the building remains a LEED certified building. The information shall be prepared by an approved independent LEED accredited professional. The fee for a certificate of compliance shall be \$100 or as may be otherwise set by the Metro Council. The certificate of LEED compliance shall be valid for 2 years.

If the building during the required 10 year period, the property fails to maintain LEED certification, the Department of Codes Administration is authorized to issue a short-term certificate of LEED noncompliance. This certificate will allow the building to retain its certificate of occupancy pending reattainment of LEED certification. A certificate of LEED noncompliance shall be for a period not to exceed three (3) months and may be renewed as necessary to achieve certification. The fee for a certificate of LEED noncompliance shall be based on the following formula:

$$F = [(26-CE)/26] \times CV \times 0.0075,$$

where:

F is the fee;

26 is the minimum number of credits to earn LEED certification;

CE is the number of credits earned as documented by the report; and

CV is the Construction Value as set forth on the building permit for the structure.

8. During the required 10 year period, a valid certificate of LEED compliance or certificate of LEED noncompliance is necessary to maintain a certificate of occupancy.
9. All requirements and conditions of the Public Works Department shall be designed and bonded and/or completed prior to issuance of building permits and if bonded, completed prior to issuance of a certificate of occupancy. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Department by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
10. This approval does not include approval of any signs. Business accessory or development signs must be approved by the Metropolitan Department of Codes Administration. All signage shall follow the requirements of any applicable MDHA design guidelines and the allowable signage of the CC- Commercial Core district zoning district (whichever is more restrictive).
11. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted; eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance; or add vehicular access points not currently present or approved.

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

**Resolution No. BL2007-303**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-178U-09 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Bollards shall be installed around the valet pull-in area on 5<sup>th</sup> Avenue North to provide a buffer between the vehicular area and the pedestrian area, and shall be in compliance with the Downtown Streetscape Elements Design Guidelines.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met.
3. These plans as approved by the Planning Commission will be used 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.
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. The revised plans must be received within 60 days of Metro Council's final approval.
5. In order to achieve more sustainable design, it is the expressed intent of the Metropolitan Council that this development is required to achieve Leadership in Environmental and Energy Design (LEED) certification. A LEED Accredited Professional assigned by the property owner shall monitor all design and construction. Prior to issuance of a temporary certificate of occupancy for any use of the development, a report (including an executive summary and a LEED scorecard including four levels of probability of attainment for each classification of LEED point scoring) shall be provided by an independent LEED Accredited Professional for review by the Department of Codes Administration. The report shall indicate that, where feasible, all construction practices and building materials used in the construction are in compliance with the LEED certified plans and shall report on the likelihood of certification. If certification appears likely, certificates of occupancy (as set forth below) may be issued. Quarterly reports shall be provided as to the status of certification and the steps being taken to achieve certification.
6. To ensure that LEED certification is attained the Department of Codes Administration is authorized to issue a certificate of occupancy once the building is otherwise completed for occupancy and prior to attainment of LEED certification. Provided, however, that in the event that LEED certification is not obtained within twelve (12) months of the issuance of a certificate of occupancy, Developer shall be responsible for payment of a LEED noncompliance fee of \$50 per day until such time as LEED certification is obtained and evidence of such certification is provided to the Department of Codes Administration. If LEED certification is not obtained within fifteen (15) months of a certificate of occupancy, then the LEED noncompliance fee (for each month after the fifteenth month) will increase to \$75 per day until such time as LEED certification is obtained and evidence of such certification is provided to the Department of Codes Administration. If LEED certification is not obtained within eighteen (18) months of a certificate of occupancy, then the LEED noncompliance fee (for each month after the eighteenth month) will increase to \$100 per day until such time as LEED certification is obtained and evidence of such certification is provided to the Department of Codes Administration.
7. To ensure that LEED certification is maintained, the property owner is required to hold a valid certificate of LEED compliance for a period of 10 years following initial certification. This certificate shall be issued by the Department of Codes Administration following the presentation of information by the property owner or their authorized agent that the building remains a LEED certified building. The information shall be prepared by an approved independent LEED accredited professional. The fee for a certificate of compliance shall be \$100 or as may be otherwise set by the Metro Council. The certificate of LEED compliance shall be valid for 2 years.

If the building during the required 10 year period, the property fails to maintain LEED certification, the Department of Codes Administration is authorized to issue a short-term certificate of LEED noncompliance. This certificate will allow the building to retain its certificate of occupancy pending reattainment of LEED certification. A certificate of LEED noncompliance shall be for a period not to exceed three (3) months and may be renewed as necessary to achieve certification. The fee for a certificate of LEED noncompliance shall be based on the following formula:

$$F = [(26-CE)/26] \times CV \times 0.0075,$$

where:

F is the fee;

26 is the minimum number of credits to earn LEED certification;

CE is the number of credits earned as documented by the report; and

CV is the Construction Value as set forth on the building permit for the structure.

8. During the required 10 year period, a valid certificate of LEED compliance or certificate of LEED noncompliance is necessary to maintain a certificate of occupancy.
9. All requirements and conditions of the Public Works Department shall be designed and bonded and/or completed prior to issuance of building permits and if bonded, completed prior to issuance of a certificate of occupancy. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Department by the Traffic Engineering Section of the Metropolitan Department of Public Works for all improvements within public rights of way.
10. This approval does not include approval of any signs. Business accessory or development signs must be approved by the Metropolitan Department of Codes Administration. All signage shall follow the requirements of any applicable MDHA design guidelines and the allowable signage of the CC- Commercial Core district zoning district (whichever is more restrictive).
11. 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.

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7. **2007SP-038G-10**  
Granny White Pike (Final)  
Map 159-00, Part of Parcel 085 and 228  
Subarea 10 (2005)  
Council District 34 - Carter Todd

A request for final SP site plan approval to create 6 lots for 6 single-family, detached, dwelling units on a portion of properties located at 5638 and 5640 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (3.23 acres), requested by Hawkins Partners, applicant, for Bethel World Outreach Center, owner. (See also Development Plan Proposal No. 2007S-042G -10).

**Staff Recommendation: Disapprove unless revised plans are submitted and approved by all Metro reviewing agencies. If a revised plan is submitted and satisfies the requirements of all reviewing agencies prior to the Planning Commission meeting, then the recommendation is to approve with conditions.**

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**The Metropolitan Planning Commission DEFERRED Zone Change 2007SP-038G-10 to October 11, 2007, at the request of the applicant. (7-0)**

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8. **2007S-042G-10**  
Granny White Pike (Development Plan)  
Map 159-00, Parcels 085, 086, 201, 228  
Subarea 10 (2005)  
Council District 34 - Carter Todd

A request for development plan approval to create 16 lots on properties located at 5638, 5640, 5644 and 5648 Granny White Pike, approximately 1,150 feet north of Old Hickory Boulevard (13.97 acres), zoned SP, requested by Bethel World Outreach, owner, Barge Cauthen & Associates, engineer. (See also Final SP Proposal No. 2007SP-038G-10).

**Staff Recommendation: Disapprove unless revised plans are submitted and approved by all Metro reviewing agencies. If a revised plan is submitted and satisfies the requirements of all reviewing agencies prior to the Planning Commission meeting, then the recommendation is to approve with conditions.**

**The Metropolitan Planning Commission DEFERRED Development Plan 2007S-042G-10 to October 11, 2007, at the request of the applicant. (7-0)**

9. **2007SP-118U-05**  
Venita Axley Townhomes  
Map 083-07, Parcel 090  
Subarea 5 (2006)  
Council District 7 - Erik Cole

A request to change from R10 to SP zoning property located at 942 Riverside Drive, approximately 140 feet south of Rosebank Avenue (0.58 acres), to permit the development of 3 new, detached, single-family townhomes and to retain 1 existing single-family home, requested by Fisher & Arnold, applicant, for Venita Axley, owner.

**Staff Recommendation: Approve with conditions, subject to approval of the associated Community Plan Amendment**

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

A request to change from One and Two Family Residential (R10) to Specific Plan (Mixed Residential) (SP(MR)) zoning, a portion of property located at 942 Riverside Drive, approximately 140 feet south of Rosebank Avenue (0.58 acres), to permit the development of 3 new attached townhome units and to retain one existing single-family home.

#### **Existing Zoning**

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

#### **Proposed Zoning**

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

- The SP District is a base zoning district, not an overlay. It will be labeled on zoning maps as “SP-MR.”
- 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.

#### **EAST NASHVILLE COMMUNITY PLAN EXISTING POLICY**

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

#### **PROPOSED POLICY**

Neighborhood Center (NC) - NC policy is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a “walk-to” area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single and multi-family residential, public benefit activities and small scale office and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that type of development conforms to the intent of the policy.

**Consistent with Policy?** Yes, subject to approval of the Community Plan amendment. The existing RLM policy allows a density range of 2 to 4 dwelling units per acre. The proposed plan calls for a total density of 8 units an acre which exceeds the RLM policy density. There is an associated land use policy amendment from RLM to NC with this rezoning request. The zone change from R10 to Specific Plan Zoning is consistent with the proposed NC policy which is intended for uses such as multifamily residential.

**Staff Recommendation** -Staff recommends approval, subject to approval of the associated Community Plan amendment.

**PLAN DETAILS**

Site Plan - The proposed SP plan includes a single family residence and 3 townhome units. Each townhome unit will contain a base floor area of 800 square feet. The existing single- family residence located on the southerly portion of the property, will remain.

The front setback along Riverside Drive is 10 feet for the townhomes. Rear and side setbacks are 5 feet

The property will need to be subdivided in the future. The townhome units will be on 0.35 acres and the single family home will be on 0.23 acres.

Access -Primary access is located in the front of the townhome units located off of Riverside Drive.

Parking -The plan proposes a total of six parking spaces provided in the rear of the units.

Sidewalks - Sidewalks are required and shown on the site plan along Riverside Drive.

**PUBLIC WORKS RECOMMENDATION**

**Maximum Uses in Existing Zoning District: R10**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	1.07	3.71	3	29	3	4

**Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached(210)	1.07	n/a	3	29	3	4

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				0	0	0

**METRO SCHOOL BOARD REPORT**

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

**Schools Over/Under Capacity** - Students would attend Rosebank Elementary School, Litton Middle School, and Stratford High School. None of the schools have been identified as being overcapacity by the metropolitan School Board. This information is based upon data from the school board last updated April 2007.

## CONDITIONS

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, Lot 2 shall be subject to the standards, regulations and requirements of the RS10 zoning district and Lot 1 shall be subject to the standards and regulations of RM9 zoning, effective at the date of the building permit. This zoning district must be shown on the plan.
2. Elevations showing all exterior and vertical building materials to be used must be approved by staff.
3. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
4. 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 150 feet diameter.
7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds.

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

### **Resolution No. BL2007-304**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2007SP-118U-05 is **APPROVED WITH CONDITIONS, including conditions regarding additions to the existing single-family residence, and if the existing residence is replaced, conditions for a new single family residence. (7-0)**

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

1. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, Lot 2 shall be subject to the standards, regulations and requirements of the RS10 zoning district and Lot 1 shall be subject to the standards and regulations of RM9 zoning, effective at the date of the building permit. This zoning district must be shown on the plan.
2. Elevations showing all exterior and vertical building materials to be used must be approved by staff.

3. The application, including attached materials, plans and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the Planning Department and Department of Codes Administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
4. 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 150 feet diameter.
7. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds.

**The proposed SP district is consistent with the East Nashville Community Plan's Neighborhood Center and detailed policies, which is intended for mixed use areas that act as local centers and include residential development."**

10. **2007Z-149G-06**  
Map 126-00, Parcel 147 and part of 565  
Subarea 6 (2003)  
Council District 35 - Bo Mitchell

A request to change from AR2a to RS10 zoning property located at 7972 McCrory Lane and a portion of property located at Beautiful Valley Drive (unnumbered), approximately 1,735 feet north of I-40 (2.87 acres), requested by Civil Site Design Group, applicant, for Trinity Land Group LLC.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to change 2.87 acres from Agricultural /Residential (AR2a) to Single Family Residential (RS10) zoning property located at 7972 McCrory Lane and a portion of property located at Beautiful Valley Drive (unnumbered), approximately 1,735 feet north of I-40.

#### **Existing Zoning**

**AR2a District** - Agricultural/Residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2



acres. The existing zoning would permit one lot.

**Proposed Zoning**

**RS10 District** - RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The proposed zoning would permit 11 lots.

**BELLEVUE COMMUNITY PLAN**

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

**Consistent with Policy?** Yes. The RS10 district permits low density single family residential development. This district supports the Residential Low Medium policy and would result in development that is consistent with the surrounding area.

**Staff Recommendation** - Staff recommends approval. The zone change request is consistent with policy and would permit development that is compatible with the surrounding area. The RS10 district would be an extension of the recently approved single family residential district on the adjacent parcel which is currently being developed as Travis Place Subdivision.

**RECENT REZONINGS** - In October 2005, the Metro Council approved a request to rezone 43.70 acres from AR2a to RS10 on parcel 60 and a portion of parcel 142 on tax map 126. Subsequently, a preliminary plat to create 140 single family lots in Travis Place Subdivision was approved by the Planning Commission in February 2006.

**PUBLIC WORKS RECOMMENDATION** - No Exception Taken

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	2.87	0.5	1	10	1	2

**Typical Uses in Proposed Zoning District: RS10**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	2.87	3.7	11	106	9	12

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			+10	96	8	10

**METRO SCHOOL BOARD REPORT**

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

**Schools Over/Under Capacity** - Students would attend Gower Elementary, Hill Middle School and Hillwood High School. All three schools are identified as having capacity to accommodate the projected student generation. This information is based upon data from the school board last updated April 2007.

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-305**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-149G-06 is **APPROVED. (7-0)**

**The proposed RS10 district is consistent with the Bellevue Nashville Community Plan’s Residential Low Medium policy, which is intended for residential developments with a density between 2 and 4 dwelling units per acre.”**

**11. 2007SP-150G-14**

Evans Hill  
Map 086-00, Parcels 113, 327, 348  
Map 087-00, Parcels 025, 195  
Subarea 14 (2004)  
Council District 12 - Jim Gotto

A request to rezone RS7.5 and RS15 to SP properties located at 1209, 1213 Tulip Grove Road, Tulip Grove Road (unnumbered), Valley Grove Drive (unnumbered), approx. 200 feet north of Rockwood Drive (71.69 acres), to permit 340 dwelling units consisting of 159 townhouses, 181 single-family lots, requested by Wamble & Associates, applicant, for H Group LLC, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP**

A request to change approximately 71.69 acres located at 1209, 1213 Tulip Grove Road, Tulip Grove (unnumbered) and, Valley Grove Drive (unnumbered), from Single-Family Residential (RS7.5) and Single-Family Residential (RS15) to Specific Plan (Mixed Residential) (SP(MR)) zoning to permit a residential development with a total of 340 dwelling units.

**Existing 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.

RS15 District - RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

**Proposed Zoning**

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

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

**DONELSON/HERMITAGE/OLD-HICKORY COMMUNITY PLAN**

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

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.

Street Plan - The Donelson/Hermitage/Old Hickory Community Plan also includes a transportation element which identifies locations for needed street connections. The plan identifies north south and east west connections across this property.

**Consistent with Policy?** Yes. The project falls within RLM and RM policies. As proposed, the density of the SP does not exceed what the two policies combined would allow. The plan goes beyond the two policies and provides a community oriented development that is in keeping with sound planning principals and provides for needed street connections within the area.

**PLAN DETAILS**

General - The plan calls for a total of 340 dwelling units with an overall density of approximately 4.7 units per acre. Lots are arranged in a logical way to minimize disturbance of environmentally sensitive lands, provide accessible and usable open space, and create a well connected street system.

The existing properties are mostly vacant and consist of densely wooded forest and some rolling hills that include some steep slopes in excess of 25 percent. Dry Creek runs along the northern property boundary and a tributary of Dry Creek also bisects the site.

Housing Types - The SP calls for four housing types:

- single-family lots with street access (front loaded);
- single-family with alley access (rear loaded);
- rowhouses; and
- townhomes.

As proposed, there will be 239 single-family lots, 119 rowhouses, and 62 townhomes. Out of the 239 single-family lots, 37 (15%) will be front loaded.

Both single-family lot types and rowhomes will front new public streets. The townhomes will front court yards. The townhome units proposed closer to Tulip Grove Road will be situated on the top of a hill and will look over the site to the north and east.

Bulk Standards - The proposed bulk standards are as follows:

Single-Family Front Loaded

Min. Lot Area	4,000 Sq. Ft.
Min. Lot Width	40 Ft.
Min. Front Setback (Principle Building)	10 Ft.
Min. Garage Front Setback	20 Ft.
Min. Side Setback	5 Ft.
Min. Side Setback (Street)	10 Ft.
Rear Setback	5 Ft. Min. or > 15 Ft. for garage
Max Height Principal Building	2 1/2 Stories
Max Height Out Building	2 Stories

Single-Family Rear Loaded

Min. Lot Area	4,000 Sq. Ft.
Min. Lot Width	40 Ft.
Min. Front Setback	10 Ft.
Max Front Setback	20 Ft.
Min. Side Setback	5 Ft.
Min. Side Setback (Side)	10 Ft.
Min. Rear Setback	10 Ft.
Max Height Principal Building	2 1/2 Stories
Max Height Out Building	2 Stories

Rowhouse

Min. Lot Area	2,000 Sq. Ft.
Min. Lot Width	20 Ft.
Min. Front Setback	10 Ft.
Min. Porch Setback	5 Ft.
Min. Side Setback	0 Ft.
Min. Side Street Setback	5 Ft.
Min. Rear Setback	5 Ft.
Alternative Rear Setback	20 Ft.
Min. Distance B/T Detached Building	10 Ft.
Min. Raised Foundation	2 Ft. above entry sidewalk
Max Height Principal Building	2 1/2 Stories*
Max Height Out Building	2 Stories

\* See SP Document for specific details.

Townhome

Min. Lot Area	2,000 Sq. Ft.
Min. Lot Width	20 Ft.
Front Setback	5 Ft. Min/15 Ft. Max
Min. Porch Setback	5 Ft.
Min. Side Setback	0 Ft.
Min. Side Street Setback	5 Ft.
Min. Rear Setback	5 Ft. or >15 Ft. for garage
Min. Distance B/T Detached Building	10 Ft.
Min. Raised Foundation	2 Ft. above entry sidewalk

Max Height Principal Building	2 1/2 Stories*
Max Height Out Building	2 Stories

\*See SP Document for specific details.

Elevations - While elevations have not been provided, the Evan's Hill SP document does set architectural standards. Elevations may be required at the final review.

Street Connectivity/Access - The plan provides a well connected street system which will allow for traffic to move efficiently throughout the site. The plan also provides connections to adjacent properties which will improve street connectivity within the area. All streets will include sidewalks along both sides of street which will allow for safe and efficient pedestrian movement.

The plan provides access for all lots from new public streets and alleys. New streets are shown on the plan that are proposed to connect to Tulip Grove Road, Myra Drive, Elijah Court and Woodway Lane. A stub street for a future connection to the north is also provided and will allow for connectivity if and when the vacant property to the north develops. Because of the stream that bisects the site, staff does not recommend a second internal street connection in the western area of the site between the northern and southern halves, but a pedestrian connection should be provided in that area.

Environmental Sensitive Areas - The site contains some natural environmentally sensitive areas such as steep hill sides and streams. According to the SP document a majority of the site (approximately 81%) contains slopes of less than 20 percent. Slopes greater than 20% should generally be minimally disturbed, and slopes of 25% or greater should be undisturbed. The plan is arranged in a way to minimize grading and, as proposed, no lots will be located on slopes of 25% or greater. If upon submission of a final site plan it is determined that lots will be on slopes of 25% or greater, then those lots should be removed and shown as open space. Grading on single-family lots with slopes 20% or greater should be minimized and be in keeping with the hillside development standards stipulated in Section 17.28.030 of the Metro Zoning Code. These lots need to be identified as Critical Lots on the final plat.

The plan minimizes impacts on Dry Creek and its tributary by providing appropriate buffering for both streams. There will be some stream and buffer disturbance required to provide street connectivity. Stream and buffer disturbances will likely require approval from the Stormwater Management Committee.

Open Space - As proposed, approximately 21 acres (30% of the site) will be provided as formal and informal open space. These areas will provide for active and passive recreation and preservation of the site's natural features. Of the 21 acres, approximately 14% will be informal green areas, such as pocket parks, and court yards.

Buffering/Landscaping - As proposed, no lot or unit will be adjacent to an existing lot or property line. The minimum distance shown between any new lot within the development and any existing adjacent lot is 20 feet. No specific buffer yards are proposed. Buffers may be required. A detailed landscaping plan is required with the final SP site plan, and if upon review it is determined that additional landscaping/buffering is needed then a specific landscape buffer yard will be required.

**Staff Recommendation** - The proposed SP meets and exceeds the standards of the land use policies by providing a development that is well connected internally and to the surrounding area, protects naturally environmentally sensitive lands, and provides a variety of housing types. Staff recommends approved with conditions.

**RECENT REZONINGS** - None

**STORMWATER RECOMMENDATION** - Approved

**PUBLIC WORKS RECOMMENDATION**

1. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Plan proposes a connection to Hermitage Creek Subdivision. Construct roadway (Hermitage Creek Court) per ST-252. Resubmit construction plans for the Department of Public Works review and approval.

- Coordinate street name with the Department of Public Works mapping section.
- Proposed solid waste collection and disposal plan to be reviewed and coordinated with the Department of Public Works Solid Waste Section.
  - Show and dimension right of way along Tulip Grove Road. Label and dedicate right of way 30 feet from centerline to property boundary. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).

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

- Construct a southbound left turn lane on Tulip Grove Rd at the site access #1 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
- Construct a southbound left turn lane on Tulip Grove Rd at the site access #2 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
- Construct the site access #1 at Tulip Grove Rd with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.
- Construct the site access #2 at Tulip Grove Rd with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.
- Construct a northbound left turn lane on New Hope Rd at Myra Drive with 75 ft of storage and transitions per AASHTO/MUTCD standards.

**Typical Uses in Existing Zoning District: RS15**

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached(210)	71.69	2.47	177	1,759	134	180

**Typical 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)	71.69	n/a	181	1,795	137	183

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

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	71.69	n/a	159	953	75	88

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				989	78	91

**METRO SCHOOL BOARD RePORT**

Projected student generation    52 Elementary    33 Middle    32 High

**Schools Over/Under Capacity** - Students would attend Dodson Elementary School, Dupont-Tyler Middle School and McGavock High School. Dupont-Tyler Middle School and McGavock High School have been identified as full by the Metro School Board but there is additional capacity within the adjacent Stratford, Glenclyff clusters. This information is based upon data from the school board last updated April 2007.

**School site dedication** - Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with capacity of 500 students.

The land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the site condition and location criteria of the Metropolitan Board of Education and shall be within the Antioch High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site shall be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement. However, failure of the Board of Education to act prior to final plat consideration and approval by the Metropolitan Planning Commission in accordance with its schedule and requirements shall constitute a waiver of this requirement by the Board of Education.

#### **CONDITIONS**

1. No lots or residential unit shall be located on slopes greater than 25%. If upon further analysis it is found that proposed lots will be located on slopes greater than 25%, then those lots shall be removed and shown as open space.
2. Single-family lots on slopes 20% or greater shall minimize grading and be in keeping with the hillside development standards stipulated in Section 17.28.030 of the Metro Zoning Code, and shall be identified as Critical Lots on the final SP site plan.
3. Front yard setbacks for Single-Family (front loaded) types shall be changed to 15 Ft. Minimum and 20 Ft. Max. Front yard setbacks for Single-Family (rear loading) types shall be changed to 10 Ft. Minimum and 15 Foot Maximum.
4. A pedestrian connection shall be provided within the western portion of the site between the northern and southern halves bisected by the stream. Further study into the feasibility of a trail system around this stream shall also be required prior to final approval. If it is determined that a trail system would be feasible within this area than it shall be provided and shown on the final SP site plan.
5. No specific buffer yards are proposed but may be required with the final SP site plan. A detailed landscaping plan is required with the final SP site plan, and if upon review it is determined that additional landscaping/buffering is needed then appropriate landscape buffer yards or equivalents to the standard buffer yards specified in Section 17.24.240 of the Metro Zoning Code shall be required.
6. While this request is currently within the General Services District and is not currently serviced by Metro garbage pickup, a solid waste collection and disposal plan must be approved by the Waste Management Division of Public Works. As proposed the SP calls for trash pick-up/collection that is not consistent with Metro Standard. Prior to final SP plan approval the trash collection plan must be approved by the Waste Management Division of Public Works. If the proposed trash pick-up/collection plan is not approved then the plan shall be revised to accommodate Metro trash pick-up/collection requirements, and could result in the reduction of the total number of units. Any changes that are not consistent with the concept of the original plan shall require approval from Metro Council.
7. Solid waste disposal notes shall be removed from the SP document.
8. All parking, utilities, meter boxes, back flow preventer, heating and cooling units and other mechanical systems shall be screened to a minimum height of 3 feet, or located from public view.
9. Due to the potential impact of this development on the public school system, the applicant shall offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with capacity of 500 students.
10. The stub street to the north shall only be constructed to where the bridge would begin. A bond shall be required with the bonding or construction of Myra Drive for the portion of the bridge on this property.

11. 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.
12. Plan proposes a connection to Hermitage Creek Subdivision. Construct roadway (Hermitage Creek Court) per ST-252. Resubmit construction plans for the Department of Public Works review and approval. Coordinate street name with the Department of Public Works mapping section.
13. Proposed solid waste collection and disposal plan to be reviewed and coordinated with the Department of Public Works Solid Waste Section.
14. Show and dimension right of way along Tulip Grove Road. Label and dedicate right of way 30 feet from centerline to property boundary. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
15. Construct a southbound left turn lane on Tulip Grove Rd at the site access #1 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
16. Construct a southbound left turn lane on Tulip Grove Rd at the site access #2 with 75 ft of storage and transitions per AASHTO/MUTCD standards.
17. Construct the site access #1 at Tulip Grove Rd with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.
18. Construct the site access #2 at Tulip Grove Rd with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.
19. Construct a northbound left turn lane on New Hope Rd at Myra Drive with 75 ft of storage and transitions per AASHTO/MUTCD standards.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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. Except through an ordinance approved by Metro Council, adjustments shall not be permitted 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.



26. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

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

Mr. Greg Stiles, 6013 Elijah Court, spoke in opposition to the proposed development.

Mr. Shawn Henry, 315 Deadrick Street, spoke in favor of the proposed development.

Councilmember Gotto explained that he would be holding a community meeting to allow community members to discuss this proposal with the developer. He further explained that this proposal would only move forward in Council once the issues associated with the development were addressed.

Ms. Zelma Ewing spoke in opposition to the proposed development.

Mr. Ponder stated he was in favor of approving the proposal.

Ms. Nielson acknowledged the intentions expressed by Councilmember Gotto regarding this proposal.

Mr. Clifton questioned whether the Commission could defer the proposal without delaying the proposed development.

Mr. Bernhardt explained that it would be necessary for the Commission to provide their recommendation to Council prior to the third reading at Council on this proposal.

Councilmember Gotto explained his community meeting processes in relation to the Commission's recommendation to Council.

Mr. Bernhardt then explained the re-referral process that Councilmembers could implement after a proposal is approved by the Commission and sent forward to Council.

Mr. McLean acknowledged that the Commission had closed the Public Hearing on this proposal, however, allowed Mr. Stiles to re-address the Commission.

Mr. Stiles reiterated his opposition to the proposed zone change.

Mr. Dalton acknowledged the concerns expressed by the residents and stated he would be in favor of approving a deferral.

Mr. Clifton moved and Ms. Nielson seconded the motion, which passed unanimously, to close the Public Hearing and to defer Zone Change 2007SP-150G-14 to October 25, 2007 in order to allow additional time for the developer to meet with community members.

**Resolution No. BL2007-306**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-150G-14 is CLOSED PUBLIC HEARING AND DEFERRED ACTION TO OCTOBER 25, 2007 PLANNING COMMISSION MEETING. (7-0)”**

12. **2007SP-151U-13**  
Bright Pointe  
Map 164-00, Parcels 106, 107, 108, 109, And 212  
Subarea 13 (2003)  
Council District 32 - Sam Coleman

A request to change from AR2a to SP zoning properties located at 3781, 3791, 3799, and 3803 Pin Hook Road and Pin Hook Road (unnumbered), approximately 2,430 feet west of LaVergne Couchville Pike (19.29 acres), to permit 42 multi-family units and 57 single-family lots, requested by Anderson, Delk, Epps & Associates Inc., applicant, for Bright Pointe LLC, owners.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP**

A request to change from Agricultural/Residential (AR2a) to Specific Plan (Mixed Residential) (SP(MR)) zoning properties located at 3781, 3791, 3799, and 3803 Pin Hook Road and Pin Hook Road (unnumbered), approximately 2,430 feet west of LaVergne Couchville Pike (19.29 acres), to permit 42 multi-family units and 57 single-family lots.

**Existing Zoning**

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

**Proposed Zoning**

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

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

**ANTIOCH/PRIEST LAKE COMMUNITY PLAN POLICY**

Neighborhood Center (NC) -NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

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

**Consistent with Policy?** Yes. Single-family and multi-family are both appropriate uses. The proposed density is 5.13 units/acre, which is appropriate when the unit placement is carefully arranged. This plan provides an interconnected street network and unit placement consistent with both policies.

**PLAN DETAILS**

Site Plan - Bright Pointe has 42 multi-family units and 57 single-family lots arranged on public streets. The multi-family units front Pin Hook Road and Post Oak Drive. The single-family lots are 3,600 and 4,000 square feet. While these lots are quite small, they provide a transition between the multi-family housing and the existing single-family development.

Open Space and Landscaping -The plan includes a park of approximately 17,600 square feet, with single-family homes arranged around and fronting on it. There is open space along the southern property line to accommodate a possible stream. There is also a 10 foot landscape easement along the western and eastern property lines. The landscape plan shows that the easement roughly corresponds to a B-3 buffer.

Elevations - The elevations have been reviewed by staff. The units are approximately 2,000 square feet. There are 3 plans for single-family houses and one townhouse plan, which is designed to look like one large home.

Sidewalks - Sidewalks are shown on both sides of the new streets and along Pin Hook Road.

Access - There are two access points from Pin Hook Road. There is also a connection to the existing Post Oak Drive.

Parking The plan calls for a total of 98 parking spaces for the multi-family units, which is about 2.3 spaces per unit. Each single-family lot will have two parking spaces.

**Staff Recommendation** - Staff recommends approval with conditions. The development is consistent with community plan policies and provides necessary connectivity in the area.

**PUBLIC WORKS RECOMMENDATION**

- The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
- Coordination solid waste disposal and recycling collection with the Department of Public Works.
- In accordance with the recommendations of the traffic impact study, the following improvements are required:
  - Provide adequate intersection and stopping sight distance at both project access roads onto Pinhook Road per AASHTO standards.
  - Construct both project access roads at Pinhook Road with one entering and two exiting lanes (LT and RT) with a minimum of 50 ft of storage and transitions per AASHTO/MUTCD standards.
  - Widen Pinhook Road to provide a 3 lane cross section along the entire property frontage with transitions per AASHTO/MUTCD standards. Include curb and gutter on both sides.
  - Construct a westbound left turn lane on Pinhook Road at eastern project access road with 100 ft of storage and transitions per AASHTO/MUTCD standards.

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached(210)	19.29	0.5	9	87	7	10

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

Land Use (ITE Code)	Acres	Density	Total units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	19.29	n/a	42	308	26	30

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

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	19.29	n/a	57	620	50	65

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				841	69	85

**STORMWATER RECOMMENDATION - Preliminary SP approved except as noted:**

\* Possible stream located at the south section of site. At this moment, the climate is too dry to make a stream determination. If it is determined to be a stream in the future, then several lots (at the southern portion of the site) may need to be removed.

**NASHVILLE ELECTRIC SERVICE RECOMMENDATION**

- 1) Developer to provide high voltage layout for underground conduit system and proposed transformer locations for NES review and approval.
- 2) Developer to provide construction drawings and a digital .dwg file @ state plane coordinates that contains the civil site information (after approval by Metro Planning).
- 3) 20-foot easement required adjacent to all public right of way or behind sidewalk to start 20' PUE.
- 4) NES can meet with developer/engineer upon request to determine electrical service options.
- 5) NES needs any drawings that will cover any road improvements to Pin Hook that Metro PW might require.
- 6) Developer should work with Metro PW on street lighting required future location(s) due to Metro's requirements.
- 7) 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.
- 8) NES needs load information asap for each different lot type and size. (NES required to determine load capacity).

**FIRE MARSHAL RECOMMENDATION**

- Two buildings not 10' from each other will both need to have a 1hr. wall on the side facing each other building.
- 1 way traffic lane shall be 14', hydrant flow data needed

**METRO SCHOOL BOARD REPORT**

**Projected student generation    11 Elementary    8 Middle    7 High**

**Schools Over/Under Capacity** -Students would attend Mt. View Elementary School, Kennedy Middle School, or Antioch High School. All three schools have been identified as being over capacity by the Metro School Board. Another middle school in the cluster has capacity. The fiscal liability for the elementary students is \$154,000 and for the high school students is \$140,000. This information is based upon data from the school board last updated April 2007.

## CONDITIONS

1. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS3.75 and RM15 zoning districts at the effective date of this ordinance, which must be shown on the plan.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
8. Prior to third reading at Metro Council, obtain letter from Tennessee Department of Environment and Conservation or a botanical inventory from a qualified biologist stating if endangered species exist on this site. Presence of endangered species may require modification to the plan. Failure to obtain letter/inventory or failure to re-refer a revised plan to the Planning Commission shall result in a recommendation of disapproval by the Planning Commission.
9. Developer shall construct Post Oak Drive to connect to the existing Post Oak Drive.
10. Final SP site plan shall comply with all Public Works, Stormwater, Fire Marshal, and NES conditions.
11. Within 120 days, submit revised plans that include the following corrections:
  - Alley entrances shall be screened with five evergreen shrubs or equivalent landscaping approved by the Urban Forester, maintained at a height of 3 to 3 1/2 feet. Parking between Lots 95 and 96 and the area west of Lot 78 shall be screened with evergreen shrubs at 3' separation or equivalent landscaping approved by the Urban Forester.
  - Update all pages to depict the current Metro GIS images.

**Resolution No. BL2007-307**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-151U-13 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 until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance, both in the review of final site plans and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS3.75 and RM15 zoning districts at the effective date of this ordinance, which must be shown on the plan.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
6. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission’s approval and require resubmission of the plan to the Planning Commission.
8. Prior to third reading at Metro Council, obtain letter from Tennessee Department of Environment and Conservation or a botanical inventory from a qualified biologist stating if endangered species exist on this site. Presence of endangered species may require modification to the plan. Failure to obtain letter/inventory or failure to re-refer a revised plan to the Planning Commission shall result in a recommendation of disapproval by the Planning Commission.
9. Developer shall construct Post Oak Drive to connect to the existing Post Oak Drive.
10. Final SP site plan shall comply with all Public Works, Stormwater, Fire Marshal, and NES conditions.
11. Within 120 days, submit revised plans that include the following corrections:

- Alley entrances shall be screened with five evergreen shrubs or equivalent landscaping approved by the Urban Forester, maintained at a height of 3 to 3 1/2 feet. Parking between Lots 95 and 96 and the area west of Lot 78 shall be screened with evergreen shrubs at 3' separation or equivalent landscaping approved by the Urban Forester.
- Update all pages to depict the current Metro GIS images.

**The proposed SP is consistent with the Antioch/Priest Lake Community Plan’s Neighborhood Center policy, which is intended for mixed use areas that act as local centers and include residential development, and Neighborhood General policy which is intended to meet a spectrum of housing needs with a variety of housing types that are carefully arranged.”**

- 13. 2007Z-152G-04**  
 Map 034-06, Parcel 003  
 Map 034-10, Parcel 053  
 Subarea 4 (1998)  
 Council District 10 – Rip Ryman

A request to change from IR, IWD, and RS7.5 to CS zoning properties located at 700 Edenvold Road and Edenvold Road (unnumbered), approximately 1,370 feet east of Gallatin Pike (46.93 acres), requested by Charley Hankla, applicant, for National Loan Investors LP, owner.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to change approximately 46 acres located at 700 Edenvold Road and Edenvold Road (unnumbered), approximately 1,300 feet east of Gallatin Pike from Industrial Restrictive (IR), Industrial Warehouse/Distribution (IWD), and Single-Family Residential (RS7.5) to Commercial Services (CS) zoning.

**Existing Zoning**

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

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

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.

**Proposed Zoning**

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

**MADISON COMMUNITY PLAN**

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

Retail Concentration Super Community (RCS) - RCS policy is intended for large size retail uses and to provide a wide array of goods and services. Typical RCS uses include retail shops, consumer services, restaurants, and entertainment. In RCS areas that are located at highway interchanges, a limited amount of uses intended to serve travelers is also appropriate. In addition, super community scale retail concentrations usually contain large, single, specialized retail stores, which draw people from a wider market area.

**Consistent with Policy?** - Yes. The proposed Commercial Service (CS) district is consistent with the area’s CMC and RCS policies.

**Staff Recommendation** - Since the requested CS district is consistent with the area’s CMC and RCS policies staff recommends that the request be approved.

**RECENT REZONINGS - None**

**PUBLIC WORKS RECOMMENDATION - No Exception Taken**

**Typical Uses in Existing Zoning District: IR, IWD and RS7.5**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	46.93	0.128	261,666	1,314	165	140

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (820)	46.93	0.299	611,236	22,028	464	2,068

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	46.93		+349,570	20,714	299	1,928

**Maximum Uses in Existing Zoning District: IR, IWD, RS7.5**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Light Industrial(110)	46.93	0.6	1,226,562	9,061	1,359	1,591

**Maximum Uses in Proposed Zoning District: CS**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	46.93	0.6	1,226,562	34,641	705	3,275

**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
--	46.93		0	25,580	-654	1,684

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-308**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-152G-04 is **APPROVED. (7-0)**

**The proposed CS district is consistent with the Madison Community Plan’s Commercial Mixed Concentration policy which is intended to include medium high to high density residential, all types of retail, commercial and office uses, and its Retail Concentration Super Community policy, which intended for large scale retail.”**



14. **2007Z-153U-11**  
Map 119-09, Parcels 139, 155  
Subarea 11 (1999)  
Council District 16 - Anna Page

A request to change from CS to IWD zoning properties located at 2803 Foster Avenue and 311 Carter Street, at the southwest corner of Carter Street and Foster Avenue (4.36 acres), requested by Tim Curtis, applicant, Nancy Rich Stanley and F.W. Rich, owners.

**Staff Recommendation: Disapprove**

**The Metropolitan Planning Commission DEFERRED INDEFINITELY, at the request of the applicant. (7-0)**

15. **2007Z-154G-06**  
Map 114-00, Parcels 175, 177, 177.02  
Subarea 6 (2003)  
Council District 22 - Eric Crafton

A request to change from R20 and SCR to CL zoning properties located at 611 Old Hickory Boulevard, approximately 1,230 feet south of I-40 (2.7 acres), requested by Dale & Associates, applicant, for Frank D. Williams et ux, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to change from One and Two-Family Residential (R20) and Shopping Center Regional (SCR) to Commercial Limited (CL) on 2.7 acres located at 611 Old Hickory Boulevard, approximately 1,230 feet south of I-40.

**Existing Zoning**

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

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

**Proposed Zoning**

CL District - Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

**BELLEVUE COMMUNITY PLAN**

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

**Consistent with Policy?** Yes. The Commercial Limited (CL) district is consistent with the Commercial Mixed Concentration (CMC) policy. The development intensities that would result from a CL district would be appropriate within this land use policy area that supports retail, office and other commercial type uses.

**Staff Recommendation** - Staff recommends approval. The zone change request is consistent with the adopted community plan.

**RECENT REZONINGS** - In July 2001, parcel 292 of tax map 114 received approval from the Metro Council to rezone 0.59 acres from Multi-Family Residential (RM4) to Commercial Limited (CL).

**PUBLIC WORKS RECOMMENDATION** - No Exception Taken

**Maximum Uses in Existing Zoning District: R20**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	1.35	1.85	2	20	2	3

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

Land Use (ITE Code)	Acres	FAR	Total Sq. Ft.	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.35	1.0	58,806	887	123	145

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market(852)	2.7	0.06*	7,056	NA	219	244

\*Adjusted as per use

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	2.7	0.60	70,567	1,020	142	158

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	236	254

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-309**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-154G-06 is **APPROVED. (7-0)**

**The proposed CL district is consistent with the Bellevue Community Plan’s Commercial Mixed Concentration policy which is intended to include medium high to high density residential, all types of retail, commercial and office uses.”**

- 16. 2007SP-155U-14**  
 Taxi USA of Tennessee  
 Map 094-00, Parcel 043  
 Subarea 14 (2004)  
 Council District 15 - Phil Claiborne

A request to change from CS to SP zoning and for final site development approval for property located at 1510 Lebanon Pike, approximately 200 feet east of Spence Lane (1.77 acres), to permit automobile convenience, vehicular rental/leasing, vehicular sales and service, limited, and all other uses permitted by the CS zoning district, requested by Adams and Reese LLP, applicant, for William H. Bodenhamer, Jr. et al Trust, owners.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP and Final Site Plan**

A request to change 1.77 acres from Commercial Service (CS) to Specific Plan (Auto Uses) (SP(A)) zoning property located at 1510 Lebanon Pike for preliminary development plan and final site plan approval to permit

automobile convenience, vehicular rental/leasing, vehicular sales and service, limited, and all other uses permitted by the Commercial Service zoning.

### **Existing Zoning**

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

### **Proposed Zoning**

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

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

### **DONELSON – HERMITAGE COMMUNITY PLAN**

Commercial Arterial Existing (CAE) - CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major street intersections. The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into more pedestrian friendly areas.

**Consistent with Policy?** Yes. The proposed specific plan provides for uses identified in the Commercial Arterial Existing land use policy, specifically office, automobile rental, sales and service. The scale and orientation of the existing building to the street complements the pedestrian environment.

### **PLAN DETAILS**

Site Plan - The site contains an existing 1,351 square foot, brick building on 1.77 acres of land. The building is used as a taxi cab dispatch center. A 379 square foot detached garage is located on the east side of the dispatch facility. No new structures are proposed by this plan.

The purpose for the requested zone change to Specific Plan zoning is to allow for the continued use of vehicular renting, leasing, sales and service of new and used taxi cabs on the site. These uses are currently prohibited under the existing CS zoning.

The proposed site is surrounded by industrial uses to the north and commercial uses on the southeast and west corner of Lebanon Pike and Spence Lane.

Access - Main access into the site is located off of Lebanon Pike.

Parking - The plan calls for a total of eleven parking spaces for staff and one additional handicap parking space.

**Staff Recommendation** - The proposed specific plan complies with the land use policy, staff recommends approval with conditions.

**HISTORY** - On January 22, 2004, The Planning Commission recommended approval for a request to rezone this property to Commercial Service (CS). This request was approved by the Metro Council on March 22, 2004.

**PUBLIC WORKS RECOMMENDATION** - Show and dimension right of way along Lebanon Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6-108’ROW).

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

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	1.77	0.6	46,260	737	102	131

**Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Used Car Sales()	1.77	n/a	3,000*	101	7	8

\*estimated building square footage

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.77		-43,260	-636	-95	-123

**CONDITIONS**

1. Show and dimension right of way along Lebanon Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6-108'ROW) on revised site plan.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district at the effective date of this ordinance, which must be shown on the plan.
3. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning. 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.
4. All existing landscaping shall remain.
5. 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.
6. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire or similar materials shall be allowed on the property. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct ambient light. All signs shall be either monument or on-building signage. Pole mounted signs shall not be permitted. Any existing billboards shall be removed within two years from the effective date of the enacting SP ordinance by Metro Council.
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, (7-0) *Consent Agenda*

**Resolution No. BL2007-310**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-155U-14 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Show and dimension right of way along Lebanon Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6-108'ROW) on revised site plan.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district at the effective date of this ordinance, which must be shown on the plan.
3. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning. 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.
4. All existing landscaping shall remain.
5. 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.
6. No chain link fence shall be within 25 feet of any public right of way. No razor wire, barbed wire or similar materials shall be allowed on the property. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct ambient light. All signs shall be either monument or on-building signage. Pole mounted signs shall not be permitted. Any existing billboards shall be removed within two years from the effective date of the enacting SP ordinance by Metro Council.
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.

**The proposed SP district is consistent with the Donelson/Hermitage Community Plan’s Commercial Mixed Concentration policy which is intended to include medium high to high density residential, all types of retail, commercial and office uses.”**

17. **2007SP-156U-12**  
National College  
Map 162-00, Parcels 105, 130  
Subarea 12 (2004)  
Council District 32 - Sam Coleman

A request to change from AR2a to SP zoning properties located at Bell Road (unnumbered), at the southeast corner of Old Hickory Boulevard and Bell Road (6.34 acres), to permit a 2-story, 31,200 square foot business school, requested by Ragan-Smith Associates, applicant, for William Dyer.

**Staff Recommendation: Approve with conditions, subject to approval of the associated Community Plan amendment**

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

A request to change from Agricultural/Residential (AR2a) to Specific Plan (SP -Office) zoning properties located at Bell Road (unnumbered), at the southeast corner of Old Hickory Boulevard and Bell Road (6.34 acres), to permit a 2-story, 31,200 square foot business school.

#### **Existing Zoning**

AR2a District- Agricultural/Residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The existing zoning would permit three 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 design base-zoning district, not an overlay. It will be labeled on zoning maps as “SP-O.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.
- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

#### **SOUTHEAST COMMUNITY PLAN**

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.

**Consistent with Policy?** Yes. An amendment to change the community plan from Neighborhood General (NG) to Office Transition (OT) policy accompanies this zone change request. If approved, the SP district to permit an office/business use would be consistent with the intensity of development encouraged within Office Transition policy areas.

**RECENT REZONINGS** - None

#### **PLAN DETAILS**

Site Plan - The site plan proposes a 31,200 square foot building to be used as a business school on 6.34 acres. The building covers roughly 10 percent of the site, while the remainder of the property will be used for surface parking and reserved for floodplain areas. The building height is two stories with a front setback of 90 feet from the centerline of Bell Road, and 75 feet from the centerline of Old Hickory Boulevard.

Sidewalks - Pedestrian access is provided by an existing sidewalk along Bell Road. A sidewalk is also required along Old Hickory Boulevard to provide a continuation of the existing network; however, the site plan does not illustrate this connection.

Access - Vehicular access to the site will be provided by two curb cuts – one driveway connecting to Bell Road and an access drive to Old Hickory Boulevard.

Parking - The proposed 287 parking spaces shown on the site plan exceeds the minimum number of required spaces for this land use type.

Landscaping - A 10 foot scenic landscape buffer is provided between the site boundary line and Bell Road because it is classified as a scenic arterial in the major street plan. Additional landscaping is shown around the perimeter of the site to the screen the parking area, and a 25 foot greenway conservation easement will be dedicated within the floodway.

**Staff Recommendation** - Staff recommends approval with conditions of the SP zone change and the preliminary SP site plan. This request is consistent with the proposed policy recommended elsewhere in this agenda and would provide a use that is better suited for this location given the intensity of the current development pattern along Old Hickory Boulevard and Bell Road. An office or educational use at this location is more compatible with the existing commercial uses to the north and west, but also serves a logical transition to the residentially zoned land to the east and south of this site.

**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.
2. Show and dimension right of way along Old Hickory Boulevard. Label and dedicate right of way 30' from centerline to property boundary, consistent with the approved major street / collector plan.
3. Show and dimension right of way along Bell Road at property corners. Label and show reserve strip for future right of way, 60 feet from centerline to property boundary, consistent with the approved major street plan (S6 - 120' ROW).
4. Pavement marking modifications may be required at building permit application / issuance.
5. Relocate the proposed access drive on Old Hickory Boulevard to align directly across from the existing driveway on the west side of Old Hickory Boulevard.
6. In accordance with the recommendations of the traffic impact study, the following improvements are required:
  - Construct the proposed access drive onto Bell Road with one entering and two exiting lanes (LT and RT).
  - Provide adequate intersection and stopping sight distance at the proposed access drive onto Bell Road per AASHTO standards for the posted speed limit.
  - Provide adequate intersection and stopping sight distance at the proposed access drive onto Old Hickory Boulevard per AASHTO standards for the posted speed limit.

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

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	6.34	0.5	3	29	3	4

**Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Business School(540)	6.34	n/a	31,200	858	94	80

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	6.34			829	91	76

**STORMWATER RECOMMENDATION - Approved except as noted:**

1. Single water quality unit does not receive full credit for water quality. Additional measures will be required during the review of the Construction Drawings.

**FIRE MARSHAL RECOMMENDATION**

1. Fire hydrant flow shall comply with 2006 edition of NFPA 1 table H
2. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B
3. Fire hydrants shall be in-service before any combustible material is brought on site.

**CONDITIONS**

1. Pursuant to Section 17.20.120 of the Metro Zoning Code, the final SP site plan shall provide a sidewalk along the property frontage on Old Hickory Boulevard to connect to the existing sidewalk segment on Bell Road.
2. Pursuant to Section 17.32.070 (B) of the Metro Zoning Code, the maximum height of the flagpole shall be 40 feet.
3. Prior to final SP site plan approval, the conditions of approval establish by Public Works must be met.
4. 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.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the OR20 zoning districts at the effective date of this ordinance, which must be shown on the plan.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access utilizing the approved design and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent



with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

10. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

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

**Resolution No. BL2007-311**

**“BE IT RESOLVED** by The Metropolitan Planning Commission that 2007SP-156U-12 is **APPROVED WITH CONDITIONS, including the maximum height of the flagpole shall be 40 feet if any flag, other than the American flag, is flown. (7-0)**

**Conditions of Approval:**

1. Pursuant to Section 17.20.120 of the Metro Zoning Code, the final SP site plan shall provide a sidewalk along the property frontage on Old Hickory Boulevard to connect to the existing sidewalk segment on Bell Road.
2. Pursuant to Section 17.32.070 (B) of the Metro Zoning Code, the maximum height of the flagpole shall be 40 feet.
3. Prior to final SP site plan approval, the conditions of approval establish by Public Works must be met.
4. 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.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the OR20 zoning districts at the effective date of this ordinance, which must be shown on the plan.
6. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
7. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
8. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access utilizing the approved design and adequate water supply for fire protection must be met prior to the issuance of any building permits.
9. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as

adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

10. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

**The proposed SP district is consistent with the Southeast Community Plan's Office Transition policy, which is intended for small offices intended to serve as a transition between lower and higher intensity uses there are other commercial districts in the area."**

18. **2007Z-157U-13**  
Map 164-00, Parcel 043  
Subarea 13 (2003)  
Council District 33 - Robert Duvall

A request to change from AR2a to RM20 zoning property located at 3214 Murfreesboro Road, approximately 1,590 feet north of Mt. View Road and located within the Hamilton Hills Urban Design Overlay district (9.6 acres), requested by Digidata Corporation, applicant, for D.L. Buttrey et ux, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to change approximately 9.6 acres located at 3214 Murfreesboro Road, approximately 1,590 feet north of Mt. View Road from Agricultural/Residential (AR2a) to Multi-Family Residential (RM20).

#### **Existing Zoning**

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

#### **Proposed Zoning**

RM20 District - RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

#### **ANTIOCH/PRIEST LAKE COMMUNITY PLAN**

Corridor General (CG) - CG is intended for areas at the edge of a neighborhood that extend along a segment of a major street and are predominantly residential in character. CG areas are intended to contain a variety of residential development along with larger scale civic and public benefit activities. Examples might include single family detached, single-family attached or two-family houses; but multi-family development might work best on such busy corridors. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

**Hamilton Hills Urban Design Overlay District** - This request is within the Hamilton Hills Urban Design Overlay District. The district plan calls for residential at this location and the request is consistent with the UDO, and is needed to implement the plan. Development on the site will require a final UDO which will ensure compliance with the UDO standards.

**Consistent with Policy?** Yes. The proposed RM20 district is consistent with the area's Corridor General policy and the Hamilton Hills Urban Design Overlay District.

**Staff Recommendation** - The requested RM20 district is consistent with the area's Corridor General policy and the Hamilton Hills Urban Design Overlay District. Staff recommends approval.

**RECENT REZONINGS - None**

**PUBLIC WORKS RECOMMENDATION - No Exception Taken**

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

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	9.6	0.5	5	48	4	6

**Maximum Uses in Proposed Zoning District: RM20**

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	9.6	20	192	1,118	88	103

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+187	1,070	84	97

**METRO SCHOOL BOARD RePORT**

**Projected student generation     21 Elementary   12 Middle     10 High**

**Schools Over/Under Capacity -** Students would attend Edison Elementary School, Kennedy Middle School and Antioch High School. All schools have been identified as full by the Metro School Board and there is no additional capacity within adjacent clusters. The fiscal liability for elementary students is \$294,000, \$186,000 for middle students and \$200,000 for high school students. This information is based upon data from the school board last updated April 2007.

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-312**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-157U-14 is **APPROVED. (7-0)**

**The proposed RM20 district is consistent with the Antioch/Priest Lake Community Plan’s Corridor General policy, which is intended for a variety of residential developments, and it is also consistent with the Hamilton Hills UDO which this property is within.”**

- 19.     2007SP-159U-07**  
       Cameron Car Wash  
       Map103-02, Parcels 060, 061, part of 062  
       Subarea 7 (2000)  
       Council District 24 – Jason Holleman

A request to change from CS to SP zoning properties located at 304, 306 and 308 White Bridge Pike, approximately 120 feet north of Burgess Avenue (0.38 acres), to permit a 2,400 square foot car wash facility, requested by Dale & Associates, applicant, for James H. Cobb and James Cobb.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary SP**

A request to change from Commercial Service (CS) to Specific Plan (Auto Uses) (SP(A)) zoning property located at 092707minutes (2).doc

304, 306, and 308 White Bridge Pike, approximately 120 feet north of Burgess Avenue (0.38 acres), to permit a 2,400 square foot car wash facility.

**Existing Zoning**

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

**Proposed Zoning**

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

- The SP District is a base-zoning district, not an overlay. It will be labeled on zoning maps as “SP-A.”
- 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.

**WEST NASHVILLE COMMUNITY PLAN**

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

**Consistent with Policy?** Yes. The proposed plan includes uses that are consistent with the Commercial Mixed Concentration policy area, specifically all types of retail trade and commercial services.

**RECENT REZONINGS** - None

**PLAN DETAILS** - The plan calls for development of a 2,400 square foot, self service car wash tunnel. Eight vacuuming stations lie to the west of the proposed tunnel. Automobiles will have access to the car wash tunnel via a 14 foot, one way drive aisle. There are 3 retaining walls located on the site. The first retaining wall sits on the northwest side of the property and is 3 feet in height. The second retaining wall sits on the southeast side of the property and is 5 feet in height. The final retaining wall sits on the northeast side of the property and is 1 foot in height.

Currently, there are two separate commercial establishments on the site totaling 10,633 square feet that will be demolished prior to the development of this site.

The front setback is 45 feet from White Bridge Road. The maximum height is 1 story at front setbacks.

Sidewalks - Sidewalks are required and are shown on the site plan.

Parking & Access - The plan calls for a total of 10 parking stalls. Eight parking spaces adjacent to the proposed tunnel contain vacuuming equipment. There is one access point from White Bridge Pike

Elevations - The elevation plans show the proposed car wash tunnel. No sign details have been provided.

**Staff Recommendation** - Staff recommends approval with conditions

**PUBLIC WORKS RECOMMENDATION** - Show and dimension right of way along White Bridge Pike. Label and show reserve strip for future right of way 42 feet from the centerline to property boundary, consistent with the approved major street plan (U4 – 84’ ROW).

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

Land Use (ITE Code)	Acres	FAR	Total Sq. Ft.	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.38	0.6	9,932	226	30	30

**Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Car Wash (947)	0.38	n/a	2,400	NA	NA	28

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			-7,532	NA	NA	-2

**CONDITIONS**

1. Sign details shall be provided with the submission of the final site plan.
2. Final Plat should include parcel 063 in order to shift the lot line between parcels 062 and 063.
3. Elevations showing all exterior and vertical building materials to be used must be approved by staff.
4. Show and dimension right of way along Lebanon Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6-108'ROW) on revised site plan.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district at the effective date of this ordinance, which must be shown on the plan.
6. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning. 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.

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

Ms. Paula Lovett, 5502 Meadowcrest Lane, expressed additional conditions that the White Bridge Neighborhood Association would like to see included in this proposal

Mr. Charlie Dean, Dale & Associates, spoke in favor of the proposed development.

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously, to approve Zone Change 2007SP-159U-07, including on-sight lighting shall be shielded and placed in appropriate locations away from adjacent residential properties, hours of operation shall be 8:00am to 6:00pm, a gate across the entrance to the site will be shown on the plan and open only during operating hours, details of the gate will be provided, and the lot line shift between parcels 062 and 063, as described in condition no. 2 of the staff report, shall be as shown on the SP plan. (7-0)

**Resolution No. BL2007-313**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-159U-07 is **APPROVED WITH CONDITIONS, including on-site lighting shall be shielded and placed in appropriate locations away from adjacent residential properties, hours of operation shall be 8:00 am to 6:00 pm, a gate across the entrance to the site will be shown on the plan and open only during operating hours, details of the gate will be provided, and the lot line shift between parcels 062 and 063, as described in condition no. 2 of the staff report, shall be as shown on the SP plan. (7-0)**

**Conditions of Approval:**

1. Sign details shall be provided with the submission of the final site plan.
2. Final Plat should include parcel 063 in order to shift the lot line between parcels 062 and 063.
3. Elevations showing all exterior and vertical building materials to be used must be approved by staff.
4. Show and dimension right of way along Lebanon Pike at property corners. Label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6-108' ROW) on revised site plan.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district at the effective date of this ordinance, which must be shown on the plan.
6. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning. 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.

**The proposed SP district is consistent with the West Nashville Community Plan’s Commercial Mixed Concentration policy which is intended to include medium high to high density residential, all types of retail, commercial and office uses.”**

- 20. 2007Z-160G-02**  
Map 033-00, Parcel 018  
Subarea 2 (2006)  
Council District 10 - Rip Ryman

A request to rezone from R20 to RM2 property located at 1083 Old Dickerson Pike, approximately 1,020 feet north of Fontaine Drive and terminus of Genelle Drive, (8.5 acres) requested by Stan Bradley of RSB Inc., applicant, Robert A. and Mary. A. Jones, Trust.

**Staff Recommendation: Approve**

**APPLICANT REQUEST** - A request to rezone 8.5 acres from One and Two-Family Residential (R20) to Multi-Family Residential (RM2) property located at 1083 Old Dickerson Pike, approximately 1,020 feet north of Fontaine Drive and terminus of Genelle Drive.

**Existing Zoning**

R20 District - R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots. R20 permits approximately 16 lots with 25% duplex, or a total of 20 dwelling units on this property.

**Proposed Zoning**

RM2 District - RM2 is intended for single-family, duplex, and multi-family dwellings at a density of 2 dwelling units per acre. RM2 permits a total of 17 multi-family units on this property.

**PARKWOOD/UNION HALL COMMUNITY PLAN**

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

**Consistent with Policy?** Yes. The RM2 zoning district is consistent with the RL policy calling for one to two dwelling units per acre. While the predominant development type of this policy is intended for single-family homes, the policy is also intended to conserve large areas of established, low density residential development. There is a single-family subdivision to the west of this site. The properties to the north and east are largely undeveloped. The City of Goodlettsville, which has its own zoning districts, is across Old Dickerson Pike to the south. The property immediately to the south of 1083 Dickerson Park is zoned for agricultural uses but has been developed as a church. The adjacent parcels are zoned High Density Residential in a Planned Unit Development (HDR-PUD.) The HDR-PUD zoning district allows up to 7 units per acre.

**Staff Recommendation** - Staff recommends approval. The application is within the density supported by the policy. The provision in RL policy that supports predominantly single family development does not apply in this location. The majority of the property surrounding 1083 Dickerson Pike to the north and east is undeveloped. In addition, across Dickerson Pike in the City of Goodlettsville, the zoning allows for higher residential development of 7 dwelling units per acre.

**RECENT REZONINGS** - None

**PUBLIC WORKS RECOMMENDATION** - No Exception Taken

**Maximum Uses in Existing Zoning District: R20**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	8.5	1.85	16	154	12	17

**Maximum Uses in Proposed Zoning District: RM2**

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	8.5	2	17	143	13	15

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-11	1	-2

**METRO SCHOOL BOARD REPORT**

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

**Schools Over/Under Capacity** - Students would attend Old Center Elementary School, Brick Church Middle School, and Hunter Lane High School. Old Center Elementary School and Hunter Lane High School are identified as overcrowded by the Metro School Board. While the schools are overcrowded, the projections show no additional students would be generated by this zone change request. This information is based upon data from the school board last updated April 2007.

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-314**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007Z-160G-02 is **APPROVED. (7-0)**

**The proposed RM2 district is consistent with the Parkwood/Union Hill Community Plan’s Residential Low policy, which is intended for residential development with a density between 1 and 2 units per acre.”**

21. **2007SP-162U-05**  
Winberry Place  
Map 082-03, Parcels 461, 462, 463, 464  
Subarea 5 (2006)  
Council District 5 - Pam Murray

A request to change from CN and RS5 to SP zoning properties located at 927, 929, 1001, and 1003 Lischey Avenue, on the east side of Lischey Avenue (0.74 acres), to permit 6 single-family homes, 3 townhome units, and a 2-story mixed-use building, requested by Barge Cauthen & Associates, applicant, for B & V Development and Vernon Winfrey, owners.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST** - A request to change from Commercial Neighborhood (CN) and Single-Family Residential (RS5) to Specific Plan (Mixed Use) (SP(MU)) zoning properties located at 927, 929, 1001, and 1003 Lischey Avenue, on the east side of Lischey Avenue at Vernon Winfrey Avenue (0.74 acres), to permit 6 single-family homes, 3 townhome units, and a 2-story mixed-use building.

**Existing Zoning**

CN District - Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

RS5 District - RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 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 base zoning district, not an overlay. It will be labeled on zoning maps as “SP-MU.”
- 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.

**EAST NASHVILLE COMMUNITY PLAN POLICY**

Neighborhood Center (NC) - NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.



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

*Cleveland Park East Detailed Neighborhood Design Plan*

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

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

Single Family Detached (SFD) - SFD is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

**Consistent with Policy?** Yes. The portion of the property designated as MxU is proposed for a two-story, mixed-use building with ground floor retail and three apartment above and one single family residential unit. A three unit townhouse project and one single family residential unit are proposed for the portion of the property designated as MH. Two single family residential units are proposed for the portion of the property designated as SFD and for the portion of the property designated NG. The single family residential units provide a transition to the adjacent single family units.

**PLAN DETAILS**

Site Plan - The proposed SP plan calls for a two-story mixed use building, a three unit townhouse development and six single family residential units. Exterior materials include masonry foundations, fiber-cement board siding and fiberglass roofing shingles. Commercial signage will consist of one sign per occupant illuminated by overhanging lights.

Access - Vehicular access to the properties will be from alleys to the rear. The sidewalks adjacent to the property are generally in poor condition. These will need to be upgraded with the development of Winberry Place.

Parking - The properties are located within the Urban Zoning Overlay. The first 2,000 sq. ft. of retail uses are exempt from parking requirements. In addition, the proposed development qualifies for a full 25% reduction provided for in Section 17.20.040 for the Zoning Code based on proximity to transit, pedestrian access, and contextual front setbacks. The project requires 18 parking spaces. Sixteen spaces are provided on site with the remaining 2 spaces to be provided on street. Immediately adjacent to the development, there are 15 on street parking spaces.

**Staff Recommendation** - The proposed SP is consistent with the land use policies. Staff recommends approval with conditions.

**RECENT REZONINGS** - None

**STORMWATER RECOMMENDATIONS** - The following note shall be included on the final plat: "All common area outside building footprints to be Open Space / Public Utility and Drainage Easement."

**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.

Along Lischey Avenue, label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street/collector plan.

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

Land Use (ITE Code)	Acres	FAR	Total Sq. Ft.	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office(710)	0.37	0.25	4,029	113	15	15

**Maximum Uses in Existing Zoning District: RS5**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	0.37	7.42	2	20	2	3

**Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail/Restaurant (814)	0.74	n/a	3,800	201	11	31

**Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	0.74	n/a	6	58	5	7

**Maximum Uses in Proposed Zoning District: SP**

Land Use (ITE Code)	Acres	density	Total units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	0.74	n/a	3	26	3	3

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

		--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.74			152	2	23

**METRO SCHOOL BOARD REPORT**

Projected student generation    4 Elementary    2 Middle    2 High

**Schools Over/Under Capacity** - Students would attend Glenn Elementary School, Jere Baxter Middle School, or Maplewood High School. None of these schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated April 2007.

**CONDITIONS**

- The following note shall be included on the final plat: "All common area outside building footprints to be Open Space / Public Utility and Drainage Easement."
- Articles of Incorporation and Bylaws for a homeowners' association to provide for improvement and maintenance of common areas shall be required with the Final Site Plan.
- The back flow preventer shall not be visible from the street.
- Sidewalks shall be upgraded to meet the design standards of the Public Works Department.

5. Along Lischey Avenue, label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street/collector plan.
6. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance in the review of the final site plan, final plat, and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning district for the Residential District at the effective date of this ordinance, which must be shown on the plan.
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. 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.
11. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

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

**Resolution No. BL2007-315**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-162U-05 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. The following note shall be included on the final plat: "All common area outside building footprints to be Open Space / Public Utility and Drainage Easement."
2. Articles of Incorporation and Bylaws for a homeowners' association to provide for improvement and maintenance of common areas shall be required with the Final Site Plan.
3. The back flow preventer shall not be visible from the street.
4. Sidewalks shall be upgraded to meet the design standards of the Public Works Department.

5. Along Lischey Avenue, label and dedicate right of way 30 feet from centerline to property boundary, consistent with the approved major street/collector plan.
6. The application, including attached materials, plans, and reports submitted by the applicant and all adopted conditions of approval shall constitute the plans and regulations as required for the Specific Plan rezoning until a Final Plan is filed per the requirement listed below. Except as otherwise noted herein, the application, supplemental information and conditions of approval shall be used by the planning department and department of codes administration to determine compliance in the review of the final site plan, final plat, and issuance of permits for construction and field inspection. Deviation from these plans will require review by the Planning Commission and approval by the Metropolitan Council.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUL zoning district for the Residential District at the effective date of this ordinance, which must be shown on the plan.
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. 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.
11. Minor adjustments to the site plan may be approved by the planning commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or intensity, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
12. Within 120 days of Planning Commission approval of this preliminary SP plan, and in any event prior to any additional development applications for this property, including submission of a final SP site plan, the applicant shall provide the Planning Department with a final corrected copy of the preliminary SP plan for filing and recording with the Davidson County Register of Deeds. Failure to submit a final corrected copy of the preliminary SP plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

**The proposed SP district is consistent with the East Nashville Community Plan's Neighborhood Center policy, which is intended for mixed use areas that act as local centers and include residential development, and Neighborhood General policy which is intended to meet a spectrum of housing needs with a variety of housing types that are carefully arranged, as well as its Mixed Housing detailed policy which is intended for a variety of single and multi-family housing."**

## **IX. CONCEPT PLANS**

22. **2007S-229U-08**  
October Homes  
Map 081-00, Part of Parcels 035, 036, and 037  
Subarea 8 (2002)  
Council District 21 - Edith Taylor Langster

A request for concept plan approval to create 42 lots of which 32 lots are designated for single-family and 10 lots for duplex for a total of 52 dwelling units on properties located at 2400 and 2404 W. Heiman Street, and W. Heiman

Street (unnumbered), approximately 1,850 feet east of Ed Temple Boulevard (19.81 acres), zoned R6, requested by M.D.H.A., Nashville & Western Railroad, and Bess Bubis, owners, Ragan-Smith Associates, surveyor.

**Staff Recommendation: Defer until an environmental assessment has been completed and a letter of approval has been provided by the Metro Health Department.**

**The Metropolitan Planning Commission DEFERRED Concept Plan indefinitely at the request of the applicant. (7-0)**

**23. 2007S-246U-14**  
Addition to Martinwood Heights  
Map 096-09, Parcel 074  
Subarea 14 (2004)  
Council District 15 - Phil Claiborne

A request for concept plan approval to create 8 lots on property located at 410 Donelson Pike, at the northwest corner of Donelson Pike and Lakeland Drive (3.26 acres), zoned OL and R10, requested by Ronald Grizzard and Frank Batson, owners, Weatherford and Associates, surveyor.

**Staff Recommendation: Approve with conditions**

#### **APPLICANT REQUEST - Concept Plan**

A request for concept plan approval to create 8 lots on property located at 410 Donelson Pike, at the northwest corner of Donelson Pike and Lakeland Drive (3.26 acres), zoned Office Limited (OL) and One and Two-Family Residential (R10).

#### **ZONING**

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

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

**PLAN DETAILS** -The plan proposes five commercial and three residential lots along Lakeland Drive. There is a stub street to the north that lines up with the exiting Seneca Drive. This provides access to develop the property to the north and will create a connection to Emery Drive in the future.

History -On April 26, 2007, a request to rezone this property and the neighboring property to the north from Office/Residential (OR20) and One and Two-Family Residential (R10) to Office Limited (OL) was approved by the Planning Commission. The request, initially for the entirety of parcels 73 and 74, was deferred by the Planning Commission at the April 12, 2007, meeting. The Commission requested that the applicant consider decreasing the amount of property requested to be rezoned in order to lessen the encroachment of office uses into a residential neighborhood and to allow for a future street connection to Seneca Drive.

**Staff Recommendation** -Staff recommends approval with conditions.

#### **PUBLIC WORKS RECOMMENDATION**

- Show and dimension right of way along Donelson Pike. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
- Provide a cross access easement between all commercial lots and to Parcel 09609007300.

**STORMWATER RECOMMENDATION** - Approved

#### **NES RECOMMENDATION**

- 1) Developer to provide construction drawings and a digital .dwg file @ state plane coordinates that contains the civil site information (after approval by Metro Planning)
- 2) 20-foot easement required adjacent to all public right of way or behind sidewalk to start 20' PUE.
- 3) NES can meet with developer/engineer upon request to determine electrical service options

4) NES needs any drawings that will cover any road improvements to Lakeland Dr that Metro PW might require

**CONDITIONS**

1. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.
2. All Public Works and NES conditions shall be satisfied with the development plan submittal.

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

**Resolution No. BL2007-316**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-246U-14 is **APPROVED WITH CONDITIONS. (7-0)**”

**Conditions of Approval:**

1. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.
2. All Public Works and NES conditions shall be satisfied with the development plan submittal.”

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**X. FINAL PLATS**

- 24. 2007S-147U-10**  
Talley Property Subdivision  
Map 118-06, Parcels 094, 094.01, 153  
Subarea 10 (2005)  
Council District 17 – Sandra Moore

A request for final plat approval to create two lots from three parcels located at 2699, 2711 Franklin Pike and Franklin Pike (unnumbered), between Gale Lane and I-440 (4.5 acres), requested by M. Carl Talley, Lisa Wheeler, and Lisa Wheeler as Trustee for Jesse L. Talley, owners, Cherry Land Surveying, surveyor.

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

**APPLICANT REQUEST** - A request for final plat approval to create two lots from three parcels located at 2699, 2711 Franklin Pike and Franklin Pike (unnumbered), between Gale Lane and I-440 (4.5 acres).

**ZONING**

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

**PLAN DETAILS** - This subdivision proposes to create 2 lots. There are currently three parcels. Because a water line must be extended, this request was initially for concept plan approval. Construction plans for the water line have been approved and will be bonded prior to recording the final plat. Therefore, this application is able to proceed as request for final plat approval.

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

construction documents to be reviewed prior to final plat approval.

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

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

**PUBLIC WORKS RECOMMENDATION** - No Exception Taken

**WATER SERVICES RECOMMENDATION** -Indicate the proposed public water main and fire hydrant on the plat.

**STORMWATER RECOMMENDATION** - Approved

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

1. Revise purpose note. "The purpose of this plat is to create two lots."
2. Add a note stating "Sidewalks will be determined per the Metro Zoning Ordinance with the issuance of any building permit."
3. Continue cross access easement along northern property line.
4. Prior to recording the final plat, confirm with the Zoning Administrator that the parking requirements are met on Lot 2.

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

**Resolution No. BL2007-317**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-147U-10 is **APPROVED WITH CONDITIONS, including a variance to Section 2-1.2 of the Subdivision Regulations to allow the subdivision to be approved as a minor subdivision. (7-0).**

**Conditions of Approval:**

1. Revise purpose note. "The purpose of this plat is to create two lots."
2. Add a note stating "Sidewalks will be determined per the Metro Zoning Ordinance with the issuance of any building permit."
3. Continue cross access easement along northern property line.
4. Prior to recording the final plat, confirm with the Zoning Administrator that the parking requirements are met on Lot 2.

- 
- 25. 2007S-190U-11**  
Cato Bass Subdivision  
Map 119-07, Parcel 001  
Subarea 11 (1999)  
Council District 16 - Anna Page

A request for final plat approval to create 2 lots on property located at 706 Old Glenrose Avenue, approximately 160 feet north of Glenrose Avenue (2.16 acres), zoned RS10, requested by Cato Bass, owner, H & H Land, surveyor.

**Staff Recommendation: Approve with conditions**

26. **2007S-218G-14**  
Woods Street (Unnumbered)  
Map 064-09, Parcel 147  
Subarea 14 (2004)  
Council District 11 - Darren Jernigan

A request to relocate a house from 774 East Main Street in Hendersonville (Sumner County) to vacant property located at Woods Street (unnumbered), approximately 100 feet north of Fourth Street (0.67 acres), zoned R8, requested by Charles E. Rhoten, house seller, and William and Lucy Fox, property owners and house buyers.

**Staff Recommendation: Approve**

**APPLICANT REQUEST - House Move**

A request to relocate a house from 774 East Main Street in Hendersonville (Sumner County) to vacant property located at Woods Street (unnumbered), approximately 100 feet north of Fourth Street (0.67 acres), zoned R8.

**ZONING**

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

**HOUSE MOVE APPROVALS** - Public Chapter 246, which was adopted by the Tennessee Legislature in 2007 and became effective on May 10, 2007, requires certain criteria to be met before a permit will be issued to move a single family residence from an existing foundation to another foundation located within a developed area of single family residences. For purposes of this determination, a developed area of single family residences means an area generally referred to as a subdivision as indicated on a plat filed in the register of deeds office.

Approving Body - Under the newly adopted state law, in situations where the house is to be relocated to a subdivision where there is a Homeowner's Association or a Neighborhood Association, it is up to those bodies to determine if the criteria are met. When neither body exists, the Planning Commission becomes the body that determines if the criteria are met.

Criteria for Approval - The criteria for approval include:

1. *The age of the house to be moved must be within 10 years of the average age of existing structures in the subdivision.*

The houses in the subdivision where the applicant proposes to move the house, on average, were built in 1957. The house to be moved was built in 1953, falling within the 10 year time frame. This criterion has been met.

2. *The appraised value of the house to be moved must initially appraise at least at the average appraisal of the existing structures within the subdivision after all planned improvements have been completed once the house is moved.*

The average appraised value of the houses in the subdivision is \$69,000. The house to be moved is appraised at \$73,393. This criterion has been met.

3. *The size of the house to be moved must be within 100 sq. ft. of the existing structures within the subdivision.*

The average size of the houses in the subdivision is 1,122 square feet. The size of the house to be moved is 1,028 square feet. This criterion has been met.

4. *The house to be moved must be consistent in appearance with the existing residences within the subdivision.*



The houses in the subdivision are characterized by frame siding exteriors, asphalt roofing, front stoops and carports. The house to be moved is similar in character with a frame siding exterior, asphalt roofing, a front stoop and a carport. This criterion has been met.

**Staff Recommendation** - As the request to relocate the house to Woods Street (unnumbered) meets all four criteria of the state law, staff recommends approval.

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-318**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-218G-14 is **APPROVED. (7-0)**”

- 27. **2007S-222G-04**  
 Strong Tower Subdivision Ii  
 Map 043-15, Parcel 169  
 Subarea 4 (1998)  
 Council District 9 - Jim Forkum

A request for final plat approval to create 2 lots on property located at Larkin Springs Road (unnumbered), approximately 100 feet north of Bubbling Well Road (0.87 acres), zoned RS7.5, requested by Strong Tower LLC, owner, Mark Devendorf, surveyor.

**Staff Recommendation: Approve, including a variance to the requirements of Section 3-4.2.f of the Subdivision Regulations for lot depth to width ratio**

**APPLICANT REQUEST - Final Plat**

A request for final plat approval to create 2 lots on property located at Larkin Springs Road (unnumbered), approximately 100 feet north of Bubbling Well Road (0.87 acres), zoned Single-Family Residential (RS7.5).

**ZONING**

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

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

Previous Subdivision Application - The Planning Commission disapproved a request for a subdivision that included this property at its May 10, 2007, meeting. At that time, the applicant included properties to the north and south of this property and requested a six-lot subdivision. The six-lot subdivision included property adjacent to an unimproved portion of Bubbling Well Road.

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				
	Area		Frontage	
	Required	Proposed	Required	Proposed
Lot 1	7,781	19,955	44	50.18
Lot 2	7,781	19,964	44	50.18

Both lots meet the minimum requirements under the lot comparability analysis for frontage and area.

**Variance to Section 3-4.2.f** - Section 1-11.1 of the Subdivision Regulations allows the Planning Commission to grant variances to the regulations if it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations. In this case, due to the configuration of the lot to be subdivided, creating a lot less than four times longer than wide would not be possible.

**Staff Recommendation** - Staff recommends approval, including a variance to section 3-4.2.f of the Metro Subdivision Regulations.

**PUBLIC WORKS RECOMMENDATION** - All work within the right-of-way requires an excavation permit and compliance with the design standards of the Department of Public Works.

**STORMWATER RECOMMENDATION** - Approved

Approved, including a variance to the requirements of Section 3-4.2.f of the Subdivision Regulations for lot depth to width ratio, (7-0) *Consent Agenda*

**Resolution No. BL2007-319**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-222G-04 is **APPROVED WITH CONDITIONS, including a variance to the requirements of Section 3-4.2.f of the Subdivision Regulations for lot depth to width ratio. (7-0)**

- 28. 2007S-227U-13**  
Shoppes At Edge-O-Lake, Resub. Lot 4  
Map 149-03, Parcel 162  
Subarea 13 (2003)  
Council District 29 - Vivian Wilhoite

A request for final plat approval to create 2 lots at 2520 Murfreesboro Pike, approximately 615 feet south of Edge-O-Lake Drive (1.33 acres), zoned MUL, requested by Murfreesboro Edge-O-Lake LLC, owner, Cherry Land Surveying, surveyor.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST** - A request for final plat approval to create 2 lots at 2520 Murfreesboro Pike approximately 615 feet south of Edge-O-Lake Drive (1.33 acres), zone MUL.

**ZONING**

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

**PLAN DETAILS** - The final plat submitted proposes to subdivide lot 4 to create one additional lot. The site is currently undeveloped and has road frontage along Murfreesboro Pike. A 24 foot access easement extends across the front of each lot and connects to a 36 foot access easement providing a connection to Murfreesboro Pike. Each lot is accessible to the rear by a 25 foot access easement that extends to Edge-O-Lake Drive.

**History** - A final plat to create four lots on 4.94 acres was approved in May 2004, for the Shoppes of Edge-O-Lake, formerly Mark Marshal One. The plat included the 25 foot access easement which extended along the rear of lots 1 through 4 and provided a connection to Edge-O-lake Drive. The 36 foot access easement located between lots 3 and 4 provided a connection to Murfreesboro Pike and to the 25 foot access easement along the rear.

**Staff Recommendation** - Staff recommends approval of the two lot subdivision with a condition that access to Murfreesboro Pike be limited to the current access easements shown on the plat. Given recent commercial development activity along the eastern side of Murfreesboro Pike, particularly between Nashboro Boulevard and Dover Glen Drive, controlled access along this stretch of arterial is important to ensure the safe and continuous flow of traffic.

An example of a commercial development with controlled access in the area is the Nashboro Square Commercial PUD, located just north of the Shoppes of Edge-O-Lake. This development includes two connections to Murfreesboro Pike for roughly 30,000 square feet of retail and office uses. The site is also accessible by a third driveway connecting to Brooksboro Terrace which also intersects Murfreesboro Pike. Within the development, there is a 24 foot joint ingress/egress easement that connects to a private driveway which extends throughout the entire development.

Staff recommends a similar coordination of access drives for the Shoppes of Edge-O-Lake to ensure safe travel along Murfreesboro Pike, and to reduce potential traffic conflict points. Requiring a note that specifically states that no driveways will be permitted outside of the designated cross-access easements is in accordance with the Metro Subdivision Regulations, and consistent with the intent of the access easements previously approved on the preliminary plat.

Section 3-4.4 of the Metro Subdivision Regulations states that when property is divided along an existing street, the Planning Commission may require that lots shall not, if avoidable, derive access from arterial or collector streets. Where driveway access from arterial or collector streets may be necessary, the Planning Commission may require that lots be served by combined driveways (usually one driveway entrance shared by two lots), or by a private access drive serving more than two lots (if necessary shared maintenance arrangements shall be incorporated into the subdivision deeds) in order to limit driveway entrances and potential traffic hazards.

**PUBLIC WORKS RECOMMENDATION - No Exception Taken**

**STORMWATER RECOMMENDATION - Approved**

**FIRE MARSHAL'S RECOMMENDATION - No construction, no comments at this time.**

**CONDITION**

1. Prior to final plat recordation, a note shall be added to the plat stating: "No additional driveways onto Murfreesboro Pike other than through the designated cross-access easement areas."

Ms. Nedra Jones presented and stated that staff is recommending approval with conditions including a note limiting access to the designated cross access easements as shown on the plan.

Mr. Mark Marshall, 9106 St. Clair Circle, spoke in favor of the proposed development as submitted.

Mr. Shawn Henry, 315 Deadrick Street, spoke in favor of the proposed development.

Mr. Dalton explained he had issues regarding safety, consistency and aesthetics of the proposal and that he was in favor of staff's recommendation.

Mr. Tyler questioned the additional lots surrounding the development and whether they were going to be a part of this development.

Ms. Nedra Jones explained this concept to the Commission.

Mr. Bernhardt offered additional information specifically addressing the access easements points included in this development.

Mr. Ponder stated he was in favor of staff's recommendation.

Mr. Dalton moved and Mr. Ponder seconded the motion, which passed unanimously, to approve the staff's recommendation on Final Plat 2007S-227U-13. **(7-0)**

**Resolution No. BL2007-320**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-227U-13 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to final plat recordation, a note shall be added to the plat stating: “No additional driveways onto Murfreesboro Pike other than through the designated cross-access easement areas.”

**29. 2007S-233U-05**

The Map of Inglewood Place, Resub. Lot 215  
Map 072-03, Parcel 062  
Subarea 5 (2006)  
Council District 8 – Karen Bennett

A request for final plat approval to create 2 lots on property located at 1219 McChesney Avenue, approximately 435 feet east of Katherine Street (0.42 acres), zoned RS7.5, requested by Eric Lesueur et ux, owners, Mark Devendorf, surveyor.

**Staff Recommendation: Approve, including an exception to the lot comparability standards for frontage**

**APPLICANT REQUEST** - A request for final plat approval to create 2 lots on property located at 1219 McChesney Avenue, approximately 435 feet east of Katherine Street (0.42 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 create two lots. The lots, as originally proposed, passed lot comparability. In that configuration, the existing garage on the rear portion of Lot 2 was in violation of the side setback requirement in the Zoning Ordinance. The interior lot line was shifted to meet that requirement. The current request is still consistent with the pattern of development in the area.

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

Lot comparability analysis was performed and yielded the following information:

<b>Lot Comparability Analysis</b>		
<b>Street:</b>	<b>Requirements:</b>	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
<b>McChesney Ave</b>	7,405	47.0

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

- Lot 1: 9,527.33 Sq. Ft., (.219 Acres), with 46.18 ft. of frontage
- Lot 2: 10,954.07 Sq. Ft., (.251 Acres), with 50 ft. of frontage

Lot 1 does not pass lot comparability for frontage.

Lot Comparability Exception - A lot comparability exception can be granted if the lot does not meet the minimum requirements of the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be

consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

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

- If the proposed subdivision is within a one-quarter mile radius of any area designated as a “Mixed Use,” “Office,” “Commercial,” or “Retail” land use policy category. This request is within one-quarter mile of a Mixed-Use policy area.
- Where the proposed lot sizes are consistent with the adopted land use policy that applies to the property. NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Section 3-4.2.f - Lot 1 has a frontage of 46.18 feet and a depth of approximately 205 feet. The frontage of Lot 1 is only 22.5% of the average lot depth. Section 3-4.2.f of the Subdivision Regulations requires that lot frontage be not less than 25% of the average lot depth, also known as the 4:1 rule.

**Staff Recommendation** - The request is consistent with the pattern of development. Staff recommends the granting of an exception to lot comparability and a variance to Section 3-4.2.f.

**PUBLIC WORKS RECOMMENDATION** - All work within the existing right of way requires an excavation permit and compliance with the design standards of the Department of Public Works.

**STORMWATER RECOMMENDATION** - Approved

#### **CONDITIONS**

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

1. Show sidewalk on Lot 1.

Ms. Logan presented and stated that staff is recommending approval, including an exception to the lot comparability standards for frontage.

Ms. Sandra Francis, 1225 McChesney Avenue, spoke in opposition to the proposed development.

Ms. Jamie Frazier, 1215 McChesney Avenue, spoke in opposition to the proposed development.

Ms. Gail Vandegriff, 1221 McChesney, spoke in opposition to the proposed development.

Ms. Misty Tobrit, 1508 Rosebank Aveue, spoke in favor of the proposed development. She submitted information to the Commission for the record.

Mr. Ponder spoke in favor of approving the development.

Mr. Clifton acknowledged the concerns expressed by Councilmember Bennett. However, he mentioned that infill development is needed to address growth without encouraging sprawl.

Mr. Bernhardt offered additional information regarding this development in association with the configuration of the lots and their sizes.

Mr. Ponder moved and Mr. Dalton seconded the motion, which passed unanimously, to approve Final Plat 2007S-233U-05. **(7-0)**

**Resolution No. BL2007-321**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-233U-05 is **APPROVED WITH CONDITIONS, including an exception to the lot comparability standards for frontage. (7-0)**

**Conditions of Approval:**

1. Show sidewalk on Lot 1.”

**30. 2007S-234U-05**

The Map of Inglewood Place, Resub. Lots 270 and 271  
Map 061-15, Parcel 376  
Subarea 5 (2006)  
Council District 8 – Karen Bennett

A request for final plat approval to create 2 lots on property located at 3816 Kingswood Avenue, approximately 300 feet north of Stratford Avenue (0.5 acres), zoned RS7.5, requested by Eric and Jerri Dawn Lesueur, owners, Mark Devendorf, surveyor.

**Staff Recommendation: Disapprove**

**The Metropolitan Planning Commission DEFERRED Final Plat 2007S-234U-05 to October 11, 2007 at the request of the applicant. (7-0)**

**31. 2007S-242U-10**

Sharondale Heights, Resub. Lot 11  
Map 117-03, Parcel 128  
Subarea 10 (2005)  
Council District 25 - Sean Mcguire

A request for final plat approval to create 2 lots including a variance from sidewalk requirements for property located at 2119 Sharondale Drive, approximately 190 feet south of White Oak Drive (0.56 acres), zoned SP, requested by Eugene Collins Trustee, owner, H & H Land Surveying surveyor.

**Staff Recommendation: Approve with conditions, including a variance from the sidewalk requirement.**

**APPLICANT REQUEST - Final Plat**

A request for final plat approval to create 2 lots on 0.56 acres including a variance from the sidewalk requirements for property located at 2119 Sharondale Drive, approximately 190 feet south of White Oak Drive.

**ZONING**

Sharondale Drive SP District - Sharondale Drive SP limits the number, size and building coverage of duplex units and limits the size height and building coverage of single-family homes for all properties within the SP District (BL2007-1485).

**SUBDIVISION DETAILS**

General - The plan calls for the creation of two new lots on an existing lot that is located at 2119 Sharondale Drive.

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

Lot comparability analysis was performed and yielded the following information:

<b>Lot Comparability Analysis</b>		
<b>Street:</b>	<b>Requirements:</b>	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
<b>Sharondale Dr.</b>	9,334	64.0

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

- Lot 1: 12,647 sq. ft., (.29 acres), with 68 linear ft. of frontage.
- Lot 2: 11,303 sq. ft., (.26 acres), with 68 linear ft. of frontage.

Both lots pass for area and frontage, and are consistent with the surrounding lot pattern.

Access - The lots front onto Sharondale Drive. There is a stream that runs adjacent to the southern side of Sharondale Drive at this location. The existing lot is currently accessed by a bridge across the stream. The applicant has proposed a second access point for lot 2, which would require an additional bridge or culvert. Access for lot 2 would also require additional disturbance of the stream buffer, and will require approval from the Stormwater Management Committee. A shared access that would only require a single stream crossing would appear to be the most environmentally sound solution. The applicant could either use the existing bridge, which would require an access easement across lot 1, or the existing bridge could be removed and a new bridge constructed at the shared lot line, which would require a joint access easement along the property line for both lots.

Variance to Section 3-8 - Section 3-8 of the Metro Subdivision Regulations requires the construction of sidewalks on existing streets or a financial contribution to Metro in lieu of construction. Because of the stream that is immediately adjacent Sharondale Drive, requiring a sidewalk would likely require that the stream be piped at this location. Additional disturbance to the stream is not appropriate and should not be encouraged with the requirement of a sidewalk. Staff has determined that this condition is unique to this property and recommends a variance from Section 3-8.

**Staff Recommendation** - Staff recommends approval including variance from the sidewalk requirement of the Subdivision Regulations.

**STORMWATER RECOMMENDATION** - Approved

**PUBLIC WORKS RECOMMENDATION** - No Exception Taken

**CONDITIONS**

1. A single stream crossing shall be used for access to both lots, unless the Metro Stormwater Management Committee determines that two stream crossings provide better compliance with Metro standards and will result in an environmentally sound solution.
2. Both lots must meet all requirements of the Sharondale SP district. Building permits shall not be issued until building plans have been approved by Metro Planning.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Mr. Bernhardt explained there was no one in the audience opposing this proposal and that it could be placed on the Consent Agenda for approval with conditions.

Mr. Clifton clarified the staff's recommendation on this proposal.

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously, to place Item #31, 2007S-242U-10, Sharondale Heights back on the Consent Agenda and approve with the required conditions. (7-0)

**Resolution No. BL2007-322**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-242U-10 is **APPROVED WITH CONDITION, including a variance from the sidewalk requirement.** (7-0)

**Conditions of Approval:**

1. A single stream crossing shall be used for access to both lots, unless the ~~Metro Stormwater Management Committee~~ Metro Stormwater determines that two stream crossings provide better compliance with Metro standards and will result in an environmentally sound solution.
2. Both lots must meet all requirements of the Sharondale SP district. Building permits shall not be issued until building plans have been approved by Metro Planning.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

Amended by MPC on 12/13/07, See Resolution No. BL2007-409

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- 32. 2007S-243G-04**  
505 B Charles Drive  
Map 042-12, Parcel 050  
Subarea 4 (1998)  
Council District 4 - Michael Craddock

A request to relocate a house from 1007 Joyce Lane in Nashville to vacant property located at 505 B Charles Drive, approximately 315 feet west of Walker Street (0.35 acres), zoned R10, requested by Norma Faye Patterson, property owner and house buyer.

**Staff Recommendation: Approve**

**APPLICANT REQUEST - House Move**

A request to relocate a house from 1007 Joyce Lane in Nashville to vacant property located at 505 B Charles Drive, approximately 315 feet west of Walker Street (0.35 acres), zoned One and Two-Family Residential (R10).

**ZONING**

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

**HOUSE MOVE APPROVALS** - Public Chapter 246, which was adopted by the Tennessee Legislature in 2007 and became effective on May 10, 2007, requires certain criteria to be met before a permit will be issued to move a single family residence from an existing foundation to another foundation located within a developed area of single family residences. For purposes of this determination, a developed area of single family residences means an area generally referred to as a subdivision as indicated on a plat filed in the register of deeds office.

Approving Body - Under the newly adopted state law, in situations where the house is to be relocated to a subdivision where there is a Homeowner’s Association or a Neighborhood Association, it is up to those bodies to determine if the criteria are met. When neither body exists, the Planning Commission becomes the body that determines if the criteria are met.

Criteria for Approval - The criteria for approval include:

1. *The age of the house to be moved must be within 10 years of the average age of existing structures in the subdivision.*



The houses in the subdivision, on average, were built in 1948. The house to be moved was built in 1952, falling within the 10 year time frame. This criterion has been met.

2. *The appraised value of the house to be moved must initially appraise at least at the average appraisal of the existing structures within the subdivision after all planned improvements have been completed once the house is moved.*

The average appraised value of the houses in the subdivision is \$110,496. The house to be moved is appraised at \$105- \$115,00 This criterion has been met.

3. *The size of the house to be moved must be within 100 sq. ft. of the existing structures within the subdivision.*

The average size of the houses in the subdivision is 1,388 square feet. The size of the house to be moved is 1,404 square feet. This criterion has been met.

4. *The house to be moved must be consistent in appearance with the existing residences within the subdivision.*

The houses in the subdivision are characterized by brick, stone or frame siding exteriors with asphalt roofing, front stoops or small covered porches. The house to be moved is similar in character with brick exterior, asphalt roofing and a small covered porch. This criterion is met.

**Staff Recommendation** - As the request to relocate the house to 505B Charles Drive meets all four criteria of the state law, staff recommends approval.

Approved, (7-0) *Consent Agenda*

**Resolution No. BL2007-323**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-243G-04 is **APPROVED. (7-0)**”

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

33. **191-69-G-14**  
Priest Lake Center  
Map 097-00, Parcel 147  
Subarea 14 (2004)  
Council District 14 - James Bruce Stanley

A request to revise the preliminary plan and for final approval for a portion of the Priest Lake Center Planned Unit Development located at 4021 Mills Road (1.38 acres), zoned CL, to permit a 13,125 square foot office/retail building, where a 9,097 square foot hotel had been previously approved, requested by Atkisson-Harber Architects, applicant, for Bimal, Maya, Kirit and Jyotshna Patel.

**Staff Recommendation: Approve with conditions**

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

A request to revise the preliminary plan and for final approval of a portion of a Planned Unit Development located at 4021 Mills Road (1.38 acres), zoned Commercial Limited (CL), to permit a 13,125 square foot office and retail building.

### **PLAN DETAILS**

General - The plan proposes a one-story building with 13,125 square feet on lot 4 within the overall PUD. The building will consist of approximately 8,750 square feet of retail space and 4,375 square feet of office space.

Parking - The proposed 62 parking spaces exceeds the minimum number of spaces (59) required by the Metro Zoning Code. A total of three spaces are reserved as handicap spaces.

Access - The site has direct access to Mills Road which intersects Old Hickory Boulevard to the east. Lot 4 will also provide a future connection internal to the PUD when lots 6 and 7 are completed.

Preliminary Plan - The PUD was originally approved in 1969 for a variety of uses, and included a 22,000 square foot hotel use. In February 2000, the preliminary PUD was amended to permit a 9,097 square foot motel.

**Staff Recommendation** - Staff recommends approval with conditions of the revised preliminary and final plan. The proposed retail and office use is consistent with current uses in the PUD. Current land uses within the PUD include a 2,800 square foot convenience market with gas station, a 7,514 square foot retail strip center, and a cell tower on 0.09 acres. The addition of a 13,125 square foot retail and office use building would not result in any greater intensification of uses within the PUD or the surrounding area.

#### **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.
2. Remove western driveway ramp to Mills Road. Site distance does not appear available.
3. Improve Mill Road along property frontage to the Department of Public Works standards and specifications.

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

1. Add Vicinity Map to plans.
2. Provide NOC.
3. Show TOW / BOW elevations.
4. For the erosion control measures, add inlet protection (to Sheet C4.0).
5. For the erosion control measures, reference our BMP's (TCP 13, etc.).
6. For the storm structures, where does drainage basins A2 and A3 drain to (no roof drains were observed).
7. For the storm structure, provide hydraulic grade lines.
8. For the detention calculations, the rainfall volumes are incorrect. Double check the 10, 25, 50, and 100 year precipitations (IDF Curve).
9. For the detention pond, maintain a 2% bottom slope.
10. For the water quality measures, the pond appears to be short-circuiting.
11. For the water quality calculations, provide a separate drainage map. There may be excessive bypass. If so, some offsite water can be treated to compensate (such as basin D1).
12. For the live pool orifice calculations, always size down.
13. For the downstream structure information, show the spread at E1. If excessive, another inlet may be added upstream (possibly at entrance connecting to B3).
14. For the pond outlet structure detail, wrap the perforated riser with fabric. Add a note stating that the fabric and stone will be removed after the site is stabilized (just leaving the riser).
15. Provide a Dedication of Easement form or provide plat showing that the water quality / quantity devices are located within an easement. Provide recording fees.

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

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

**Resolution No. BL2007-324**

“BE IT RESOLVED by The Metropolitan Planning Commission that 191-69-G-14 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way. This shall also include all applicable Public Works’ conditions listed above.
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. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
6. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes 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.”

- 34. 18-84-U-10**  
Burton Hills, Rev. Lot 1  
Map 131-06-A, Part of Parcel 001.00co  
Subarea 10 (2005)  
Council District 25 - Sean McGuire

A request to revise the preliminary plan for a portion of the Burton Hills Planned Unit Development located at 1 Burton Hills Boulevard (9.17 acres), zoned R15, to permit a 54,000 square foot office building and parking where surface parking was previously approved, requested by Barge Cauthen & Associates, applicant, for EP Real Estate Fund L.P., owner.

**Staff Recommendation: Approve with conditions**

#### **APPLICANT REQUEST - Preliminary PUD**

A request to revise the preliminary plan for a portion of the Burton Hills Planned Unit Development located at 1 Burton Hills Boulevard (9.17 acres), zoned One and Two-Family Residential (R15), to permit a 54,000 square foot office building and parking where surface parking was previously approved.

#### **PLAN DETAILS**

**Site Plan** - The plan calls for one new office building and the rearrangement of existing parking areas. As proposed, the new office building will be four stories in height, provide 54,000 square feet of floor space, and will include a below grade parking garage. The proposed location for the building is south east of the Hillsboro Pike and Burton Hills Boulevard intersection where a surface parking area now exists.

With the placement of the new office building, the existing parking area just south east of the Hillsboro Pike and Burton Hills Boulevard intersection will be altered and will be designed to allow for safe pedestrian movement between the new building and the existing building. The parking area east of the existing office building will also be redesigned and include a design that allows for safe pedestrian movement.

**Preliminary Plan** - The Burton Hills PUD was originally approved in 1984 and includes office, multi-family, single-family, amenities and a church. There have been many revisions to this PUD. The plan was last amended in 1989 to include 550,000 square feet of office. As proposed, the total office area within the PUD will increase to 604,000 square feet which is less than 10% of what was last approved by Council. While the request will increase the total floor area beyond what was last approved by Council, the Metro Zoning Code allows that increases of less than 10% do not require reapproval from Council. Since the request does not increase the office space by more than 10% of what was last approved and is not inconsistent with the overall PUD concept, the plan can be approved by the Planning Commission as a revision.

**Staff Recommendation** - The request is consistent with the concept of the original PUD, and does not increase the office space more than 10% of the floor area last approved by Council. Staff recommends approved with conditions as a revision.

**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.

**STORMWATER RECOMMENDATION** - No Comments at this time.

#### **CONDITIONS**

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.

4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
6. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
7. Prior to any additional development applications for this property, the applicant shall provide the Planning Department with a final corrected copy of the PUD plan for filing and recording with the Davidson County Register of Deeds.

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

**Resolution No. BL2007-325**

“BE IT RESOLVED by The Metropolitan Planning Commission that 18-84-U-10 is **APPROVED WITH CONDITIONS, both the preliminary plan revision and the final plan. (7-0)**

**Conditions of Approval:**

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

**35. 239-84-U-13**

Canter Chase (Swett's Restaurant)  
Map 135-00, Parcels 350, 378, 386, and part of 385  
Subarea 13 (2003)  
Council District 28 – Duane A. Dominy

A request to revise the preliminary plan and for final approval for a portion of a Planned Unit Development located at 1909 Murfreesboro Pike, at the southeast corner of Murfreesboro Pike and Harding Place (2.4 acres), zoned CL, for final approval to permit a 6,850 sq. ft. restaurant, and preliminary approval to revise the remaining portion of the plan to permit 30,000 sq. ft of office/retail, a 6,000 sq. ft. restaurant, and a 4,200 sq. ft. restaurant, replacing 33,800 sq. ft. of office/retail uses and a 6,000 sq. ft restaurant, and a 4,200 sq. ft. restaurant, requested by Lukens Engineering Consultants, applicant, for Swett Investments, owner.

**Staff Recommendation: Approve with conditions**

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

A request to revise the preliminary plan and for final approval for a portion of a Commercial Planned Unit Development district located along Murfreesboro Pike, at the southwest corner of Murfreesboro Pike and Harding Place (2.4 acres), for final approval to permit a 6,850 sq. ft. restaurant, and preliminary approval to revise the remaining portion of the plan to permit 30,000 sq. ft of office/retail, a 6,000 sq. ft. restaurant, and a 4,200 sq. ft. restaurant, replacing 33,800 sq. ft. of office/retail uses and a 6,000 sq. ft restaurant, and a 4,200 sq. ft. restaurant.

**PLAN DETAILS** - The proposed plan changes a portion of the approved PUD plan to permit a 6,850 square foot restaurant, replacing an undeveloped, 5,000 square foot restaurant at the corner of Murfreesboro Pike and Harding Place. The plan also proposes to revise the remaining portion of the PUD to permit 30,000 sq. ft of office/retail, a 6,000 sq. ft. restaurant, and a 4,200 sq. ft. restaurant, replacing 33,800 sq. ft. of office/retail uses and a 6,000 sq. ft restaurant, and a 4,200 sq. ft. restaurant. The proposed plan is consistent with the approved preliminary plan in terms of uses, building locations and access points, while it also updates the plan to account for the current Stormwater Regulation requirements. The previously approved PUD plan can no longer be built, as approved, since it had buildings proposed on top of a stream that is required to be protected.

Access - The proposed plan maintains the same number of driveways onto Murfreesboro Pike. The PUD was originally approved with shared access points between the various uses within the PUD. The Canter Chase Commercial plat was recorded in 1989, which included a shared access easement for all properties within the PUD. The language included on the recorded plat states:

*“Each owner or successive owner shall have a nonexclusive easement over the property of this subdivision plan other than areas covered by any structure for purposes of ingress and egress to and from their respective premises, for the purposes of parking on any paved areas designated for parking. This non exclusive easement shall not apply to areas upon which any structure is located.”*

**Staff Recommendation** - Staff recommends approval with conditions.

**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.

**STORMWATER RECOMMENDATION** - Approve with condition to provide dedication of easement and recording fee.

**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 building permits, a final plat shall be recorded, including any necessary bonds for public infrastructure.
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. Public infrastructure improvements must be

bonded, completed or satisfied prior to final plat recordation.

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, (7-0) *Consent Agenda*

**Resolution No. BL2007-326**

“BE IT RESOLVED by The Metropolitan Planning Commission that 239-84-U-13 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any building permits, a final plat shall be recorded, including any necessary bonds for public infrastructure.
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. Public infrastructure improvements must be bonded, completed or satisfied prior to final plat recordation.
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.”

**36. 89P-003G-06**  
 Still Springs Ridge, Ph. 1 Final  
 Map 128-00, Parcel 036  
 Subarea 6 (2003)  
 Council District 22 - Eric Crafton

A request for final approval for a portion of the Still Springs Ridge Planned Unit Development located at Hicks Road (unnumbered) and terminus of Still Spring Hollow Drive (79.29 acres), zoned RS20, to permit 101 single-family lots in 4 sections, requested by Dewaal & Associates, applicant, for Greater Middle Tennessee Development Partnership, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Final PUD**

A request for final approval for a portion of the Still Springs Ridge Planned Unit Development located at Hicks Road (unnumbered) and terminus of Still Spring Hollow Drive (79.29 acres), zoned Single-Family Residential (RS20), to permit 101 single-family lots in 4 sections.

**PLAN DETAILS**

Site Plan - The plan calls for 101 new single-family residential lots which will all be located along new streets. Access will be from Old Hickory Boulevard through the neighboring Woodbury and Summit Oaks PUDs, and from Hicks Road through Still Springs Hollow PUD. A variance was granted with the last approved preliminary PUD plan to allow for a dead-end street over 750 feet in length. As proposed, the plan is consistent with the last approved preliminary plan with the exception that the plan calls for 101 lots and a condition of the preliminary was that one lot be removed for a total of 100 lots (See Preliminary Plan section for details).

Preliminary Plan - Still Springs Ridge was originally approved in 1989. In 1995, the Still Springs Ridge PUD was amended to absorb the Hicks Road PUD, which is also known as Still Springs Hollow.

Still Springs Ridge was originally approved for 100 single-family lots in phase 1. Phase 2 was approved for a community center or 5 single-family lots. A community center was previously approved for phase 2 and was subsequently revised for two single-family lots. This was approved by the Commission in August 2007. The Hicks Road PUD was approved for 85 single-family lots.

With the two PUDs combined the maximum number of lots possible is 190. While a condition of the previous preliminary approval for Still Springs Ridge, Phase 1 required that one lot be removed, the lot can now be retained as it will not push the overall number of lots over the approved density for both PUDs. There are currently 57 lots approved and occupied within the PUD. With this request for 101 lots, the 27 approved with Still Springs Hollow, Phase 3, and the two lots recently approved for Still Spring Ridge, Phase 2, the total number of lots will be 187.

**Staff Recommendation** - Staff recommends approval with conditions.

**PUBLIC WORKS RECOMMENDATION**

1. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Submit geotechnical report as to the suitability of all cut slopes and retaining wall design.



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

1. Provide a complete stormwater operation and maintenance agreement including a long-term maintenance plan and drawings of easements on a plat or location map to show the location of the BMP's.
2. Provide NPDES NOC letter and include a note on the plan set indicating the permit number the site is covered under.
3. All slopes that are 3:1 or greater need to be labeled and provided erosion control protection.
4. If the construction is expected to last more than 12 months provide construction schedule and phasing information.
5. Label the location of the pond emergency overflow spillways that are shown in the detail on the plan view.
6. Ponds need to include 1' freeboard over the 100-yr water surface elevation.
7. Provide easement and access easement locations and documentation for the ponds.
8. "Areas to Ponds" drainage map includes additional area labeled "Additional imp. From roofs and drives" draining to the ponds. Why is this area not included in the storm sewer calculations?
9. Ditches are very steep. Provide additional erosion control protection.
10. Labels for the ditches in the calculations do not match the labels on the plan set.
11. Pond Report page 15 for pond 2 lists a culvert/orifice structure at 704, detail in plan set shows it at 703.
12. In the calculations that show the site meeting the 80% TSS removal, a large portion of the site is designated "natural conservation area". Provide documentation that this area has been designated as such.
13. The text states that the 18" headwall that captures flow released from HW 33 needs improvement. Should these improvements be made with this project? It is also described that the structure downstream of the 196'-18" CMP needs maintenance.
14. Downstream structure #1 in Still Springs Drive (the 24" pipe) is not adequate. Provide design to upgrade.

**CONDITIONS**

1. Landscape plan shall be approved by the Metro Urban Forrester prior to the issuance of any building 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. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until

four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission for filing and recordation with the Davidson County Register of Deeds.

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

**Resolution No. BL2007-327**

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

**Conditions of Approval:**

1. Landscape plan shall be approved by the Metro Urban Forrester prior to the issuance of any building 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. 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.”

- 37. 2007P-003U-12**  
McGee Property  
Map 160-00, Parcel 024  
Subarea 12 (2004)  
Council District 31 - Parker Toler

A request for preliminary Planned Unit Development approval for property located at 749 Hill Road, approximately 1,820 feet east of Franklin Pike Circle (7.77 acres), zoned R40, to permit 8 single-family lots in a cluster-lot subdivision, requested by Gresham, Smith and Partners, applicant, for Henry King McGee.

**Staff Recommendation: Disapprove as submitted. Approve with conditions if a street connection to Hill Road**

is provided, including a variance along the property frontage of Hill Road to provide the sidewalk in an alternate location.

**The Metropolitan Planning Commission DEFERRED Planned Unit Development to October 25, 2007, at the request of the applicant. (7-0)**

38. **2006IN-001U-10**  
David Lipscomb University  
Map 117-16, Parcel 163  
Subarea 10 (2005)  
Council District 25- Sean McGuire

A request to revise a portion of the preliminary master plan for the David Lipscomb University Institutional Overlay district located between Granny White Pike and Belmont Boulevard, zoned R10, to revise the layout of the approved Residential and Arts Villages and for final approval to construct four residential apartment buildings and a 500 square foot design lab addition, requested by Tuck Hinton Architects, applicant, for David Lipscomb University, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Revise Master Plan and Final Site Plan**

A request to revise a portion of the preliminary master plan for the David Lipscomb University Institutional Overlay district located between Granny White Pike and Belmont Boulevard, zoned One and Two-Family Residential (R10), to revise the layout of the approved Residential and Arts Villages and for final site plan approval to construct four residential apartment buildings and a 500 square foot design lab addition.

**Zoning Overlay**

IO District - The purpose of the Institutional Overlay district is to provide a means by which colleges and universities situated wholly or partially within areas of the community designated as residential by the General Plan may continue to function and grow in a sensitive and planned manner that preserves the integrity and long-term viability of those neighborhoods in which they are situated. The institutional overlay district is intended to delineate on the official zoning map the geographic boundaries of an approved college or university master development plan, and to establish by that master development plan the general design concept and permitted land uses (both existing and proposed) associated with the institution.

**GREEN HILLS/MIDTOWN COMMUNITY PLAN**

Major Institutional (MI) - MI is intended to apply to existing areas with major institutional activities that are to be conserved, and to planned major institutional areas, including expansions of existing areas and new locations. Examples of appropriate uses include colleges and universities, major health care facilities and other large scale community services that do not pose a safety threat to the surrounding neighborhood. On sites for which there is no endorsed campus or master plan, an Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

**Consistent with Policy?** Yes. The IO district is appropriate within the Major Institutional policy.

**PLAN DETAILS** - Section 17.40.140 of the Zoning Code stipulates that minor changes (not exceeding 10% within the modification area) may be considered revisions by the Planning Commission. Anything over a 10% increase in square footage, building setback, lot coverage, landscaping requirements, parking requirements, or dimensional requirements relating to fences or walls must be considered an amendment.

Preliminary Master Plan - This plan proposes to revise the previously approved plan for 1,648,386 square feet of various institutional uses to add an additional 300 square feet for a total of 1,648,686 square feet. The change accommodates a small addition to the approved art department buildings. The previous amendment included residential buildings of three to four stories. Because the residential buildings are now limited to three stories, the additional buildings do not add any square footage to the total, but do revise the layout of the residential village.

Final Master Plan - The final master plan applies to four residence halls and an addition to the existing art building. Residence halls 35a, b, c, and 36a are apartment style residence halls. They are each 12,000 square feet and 3-stories

tall. The elevations match those approved by Metro Council on March 20, 2007. These building are located within the heart of the campus, away from the perimeter adjoining the neighborhood and would fall under the criteria to be treated as a minor revision. The art building is located next to the residence halls. The final master plan includes an addition of 500 square feet to the existing building.

**Staff Recommendation** - Staff recommends approval with conditions.

**PUBLIC WORKS RECOMMENDATION** - Comply with all previous conditions of approval for this institutional overlay.

**STORMWATER RECOMMENDATION** - Approved with conditions

1. Provide a more elaborate Long Term Maintenance plan for the site (see Volume 1, Section 7.9. Because it receives runoff from this development, include a narrative for the detention pond. Provide a completed (with signatures) Maintenance Agreement and Dedication of Easement forms.
2. Provide NOC.
3. For the Construction Entrance, show the location on the plans. Also, minimum width = 20'.
4. For the erosion control measures, provide initial erosion control measures on a separate sheet (shown only on existing contours).
5. For the headwall, show outlet protection.
6. Show all civil details (outlet and inlet protection, water quality unit, inlet, etc.).
7. For the storm structures, show the locations of the roof drains and show how they are connected to the overall system.
8. For the storm structures, it is preferred that an inlet is used along the curb line rather than a curb cut. Provide inlet protection to that inlet (label the inlet protection).
9. Provide storm information for the relocated inlet.
10. For the stormwater detention calculations, explain why a CN = 70 and a Tc = 7 minutes was used.
11. For the water quality unit, provide calculations showing that the unit is adequately sized (treatment flow).

**CONDITIONS** - Within 30 days, submit a plan with the following revisions:

1. Erase parcel numbers for parcels 82 and 89.
2. Revise page 2 to include 36a as part of the final approval.
3. Include colored plan on page 3.

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

**Resolution No. BL2007-328**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006IN-001U-10 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

Within 30 days, submit a plan with the following revisions:

1. Erase parcel numbers for parcels 82 and 89.
2. Revise page 2 to include 36a as part of the final approval.
3. Include colored plan on page 3.”

- 39. 2001UD-001G-12**  
Lenox Village, Phase 8, Rev. Lots 618-624  
Map173-09a, Parcel 735-741  
Subarea 12 (2004)  
Council District 31 - Parker Toler

A request to revise a phase 8 of the approved final UDO, and for final approval for that portion of the Urban Design Overlay district located at Avery Park Drive (unnumbered), at the southeast corner of Avery Park Drive and Stone Lane, classified RM9, to create 174 town homes, 22 single-family rear access lots, and 43 single-family street access lots, requested by Anderson, Delk, Epps & Associates, Inc., applicant, for Lenox Village I, LLC, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Revise Preliminary and Final UDO**

A request to revise phase 8 of the approved final UDO, and for final approval for that portion of the Urban Design Overlay district which is located at Avery Park Drive (unnumbered), at the southeast corner of Avery Park Drive and Stone Lane, classified Multi-Family Residential (RM9), to create 174 townhomes, 22 single-family rear access lots, and 43 single-family street access lots.

**PLAN DETAILS**

General Lenox Village Phase 8 was approved by the Planning Commission on December 8, 2005, and called for 193 townhomes, 12 single-family rear access lots, and 43 single-family street access lots.

Site Plan - As proposed, changes on the new plan are minor and are limited to a small portion of Phase 8. Changes consist of the removal of three single-family street access lots along the north side of proposed Avery Park Drive, which are to be replaced with 8 townhomes. A new alley is also proposed and will provide rear access to the additional townhomes. With the proposed changes phase 8 will consist of 174 townhomes, 22 single-family rear access lots, and 43 single-family street access lots for a total of 239 units.

Staff Recommendation - The proposed changes are minor in nature and are consistent with the Lenox Village Urban Design Overlay. Staff recommends approval.

**PUBLIC WORKS RECOMMENDATION - No Exception Taken**

**STORMWATER RECOMMENDATION- No Exception Taken**

**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. All signs within the overlay are regulated by the Lenox Village Urban Design Overlay District.
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.

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

**Resolution No. BL2007-329**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2001UD-001G-12 is **APPROVED WITH CONDITIONS. (7-0)**

**Conditions of Approval:**

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. All signs within the overlay are regulated by the Lenox Village Urban Design Overlay District.
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.”

**XII. OTHER BUSINESS**

40. 2002S-278G-13 -- Arbor Crest Subdivision -- Request for an extension of approval for an expired preliminary plat.

Waived the Subdivision Regulations and approved a six month extension, (7-0) *Consent Agenda*

**Resolution No. BL2007-330**

“BE IT RESOLVED by The Metropolitan Planning Commission that the request for an extension of approval for expired preliminary plat, 2002S-278G-13 is **APPROVED FOR A SIX MONTH EXTENSION. (7-0)**”

41. New employee contract for Matt Meservy – Approve.

Approved, (7-0) *Consent Agenda*


42. Executive Director Reports
43. Legislative Update

**XIII. ADJOURNMENT**

The meeting adjourned at 5:45 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, 2<sup>nd</sup>. 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.**