



**Project No.
Request**

**2007CP-19U-13
Amend the Antioch-Priest Lake Community
Plan: 2003 Update**

**Associated Cases
Council District
School Districts
Requested by**

2007Z-161U-13
32 - Coleman
6 - Johnson
Planning Staff

**Staff Reviewer
Staff Recommendation**

Wood
Approve Plan Amendment

APPLICANT REQUEST

**A request to amend the Antioch-Priest Lake
Community Plan: 2003 Update for property adjacent to
the Cane Ridge High School on Old Hickory Boulevard.**

**CURRENT LAND USE POLICIES
Open Space (OS)
and Potential Open
Space (POS)**

OS is a land use policy encompassing a variety of public, private not-for-profit, and membership-based open space and recreational activities. There are two subcategories of Open Space policy. The designation OS indicates that the area in question has already been secured for open space use. The designation POS indicates that the area in question is intended to be in open space use, but has not yet been secured for that use. Types of uses intended within OS and POS areas range from active and passive recreational areas, reserves, land trusts and other open spaces, to civic uses and public benefit activities deemed by the community to be "open space" such as school play grounds. OS and POS areas can range from large sites encompassing thousands of acres to small sites that are a fraction of an acre.

**Neighborhood
General (NG)**

NG is a land use policy for areas that are primarily residential in character. To meet a spectrum of housing needs, ideally, NG areas contain a variety of housing that is carefully arranged, not randomly located. Civic and public benefit activities are also characteristic of NG areas.

**Neighborhood
Urban (NU)**

NU is the land use policy for fairly intense, expansive areas that are intended to be mixed use in character with a significant amount of residential development. Types of uses intended within NU areas include a variety of



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Community Center (CC)

housing, public benefit uses, commercial activities and mixed-use development. Some NU areas also contain light industrial development. NU land use policy is frequently used in areas that are transitioning from industrial to mixed use.

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

PROPOSED LAND USE POLICY Industrial (IN)

IN is a classification for one of several types of special districts. IN areas are dominated by one or more activities that are industrial in character. Types of uses intended in IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses.

Special Policy Area 2

*Special Policy Area 2
Industrial, mixed use or residential development may take place within this Special Policy area subject to the approval of site plan based zoning such as a Planned Unit Development, Urban Design Overlay, or Specific Plan. IWD base zoning is the only base district that may be used without a site plan overlay to implement the land use policies for this area.*

ANALYSIS

This plan amendment request came about because of a change in circumstances in the amendment area. On February 22, 2007, the Commission approved a plan amendment for this area that resulted in the area’s Industrial policy being changed to add OS, POS, NG, and NU policies for a large portion of the site. Despite



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the fact that the majority of the area is zoned Industrial Warehousing/Distribution (IWD), this prior plan amendment was requested by a group of developers who were interested in doing residential and mixed use development in this area, which is adjacent to the new Cane Ridge High School site. Since that time, the developers are no longer involved with this property. The large, vacant area remains industrially zoned with a few remaining parcels zoned Agricultural/Residential (AR2a).

At this time, a new group of developers have filed a zone change from AR2a to IWD (see 2007Z-161U-13). A second zone change request from AR2a to IWD is awaiting the results of this plan amendment.

STAFF RECOMMENDATION

Given the large amount of industrial zoning that is already present in the area, the interest in industrial development (with an accompanying zone change, which was not present in the plan amendment requested by the prior group of developers), the lack of interest in residential development, and the area's suitability from a physical and access standpoint for many different types of development, staff recommends approval of returning the area to Industrial policy.

Staff further recommends that a Special Policy be put in place to allow mixed use development to occur within the area similar to the pattern that has occurred with The Crossings business park to the north. The Crossing contains retail development and adjoins a residential development, in addition to having light industrial development.

IN policy generally requires site plan based zoning. Staff recommends that IWD be permitted to implement the policy in this case as much of the area is presently zoned IWD.



| | |
|------------------------------|--|
| Project No. | Planned Unit Development 95P-025U-12 |
| Project Name | Millwood Commons |
| Council District | 32 - Coleman |
| School Board District | 2 - Brannon |
| Requested By | Land Design, Inc., applicant for Bell Road Vacant LLC, Bell Road L.P., and Kristi L. Warren owners |
| Deferrals | Deferred from the October 25, 2007, Planning Commission meeting |
| Staff Reviewer | Swaggart |
| Staff Recommendation | <i>Approve with conditions</i> |

APPLICANT REQUEST
Revise Preliminary PUD

A request to revise the preliminary plan for a Planned Unit Development located at Bell Road (unnumbered), Blue Hole Road (unnumbered), and 5439 Blue Hole Road, at the southwest corner of Bell Road and Blue Hole Road (159.38 acres), zoned Single-Family Residential (RS7.5), One and Two Family Residential (R15), and Single-Family Residential (RS20) districts, to permit 884 multi-family units and 116 single-family lots totaling 1,000 dwelling units, where 908 multi-family units and 116 single-family lots were previously approved.

History

This application was heard at the October 25, 2007, Planning Commission meeting. The application was deferred by the Planning Commission to allow the Councilmember time to meet with the community prior to the Planning Commission's decision. The public hearing was closed by the Commission.

PLAN DETAILS

General

The request is to revise the previously approved preliminary PUD plan. Currently no development has taken place and the seven properties that make up the PUD remain vacant. The PUD consists of approximately 159 acres located on the south side of Bell Road and west of Blue Hole Road.

The application was originally submitted for phase 1 only, but staff is requiring changes that have minor effects on Phase 2 and Phase 3. Since the required changes will have minor implications on other phases in the PUD, staff has required that the entire PUD be shown. While the site plan review addresses details for the entire PUD, staff's comments are limited to Phase 1, and staff does not recommend that any significant



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Site Plan

changes to Phases 2 or 3 be required at this time. Since this is a request for a revision to the preliminary plan only, a subsequent final site plan application request must be approved by the Planning Commission prior to the development for any phase within the PUD.

The overall PUD calls for 1,000 residential units. Units include 884 multi-family units, and 116 single-family lots. The overall density will be approximately 6.3 units per acre. The multi-family units are all located within the northern section of the overlay and the single-family lots to the south.

The overall development will be accessed by private drives and new public streets that will connect to Bell Road and Blue Hole Road. The multi-family units will be accessed by gated private drives off Bell Road and a new public street. The single-family lots will be accessed by new public streets that will connect to both Bell Road and Blue Hole Road. A stub street will be provided to the west and will allow for a future public street connection should the property to the west develop. Sidewalks are provided on both sides of the new public streets and along the private drives.

The PUD contains areas with steep slopes and some drainage areas that have been classified as wet weather conveyances. Major changes for Phase 1 have been made to minimize the impact to these sensitive areas leaving a large portion of the land within Phase 1 as open space that will be left undisturbed.

There are other environmental features that may limit development in both Phase 2 and phase 3. These features include a stream that bisects a northern portion of Phase 2, and possible sinkholes in Phases 2 and 3. Planning staff is not including a recommendation regarding the layout and design of Phases 2 and 3 at this time. The Stormwater Division has, however, noted these environmental features, and is recommending disapproval.

Planning staff notes that while Stormwater's concerns are legitimate, the concerns will be addressed with subsequent applications for Phases 2 and 3. Development *cannot* occur within the PUD for any phase until a final PUD plan has been approved by the Planning Commission. Planning staff is recommending



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Preliminary Plan

approval of this PUD revision request, but it is important to note that the above mentioned constraints will likely have significant impacts on Phase 2 and 3, and may result in the loss of units, and could require reapproval from Council if these constraints require a significant redesign of those phases of the PUD.

The original preliminary plan was approved by Council in 1996, and has had no changes since that approval. The original plan was approved for 1,024 residential units, which included 908 multi-family units, and 116 single-family lots. The new plan will decrease the density, as well as provide a new public street that was not approved with the original preliminary plan. The originally approved plan had multi-family units widely distributed across the northern and central section of the PUD, while the proposed plan will concentrate units more along the northern and western side of the overlay.

PUBLIC WORKS RECOMMENDATION

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

STORMWATER RECOMMENDATION

Disapprove until the following comments are adequately addressed and shown on the plan:

1. Streams were identified within the PUD boundary. Show 2 zoned buffers and remove all disturbances from the buffered areas.
2. Karst features were identified within the PUD boundary. Show buffers and remove all disturbances from the buffered areas.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The new plan is consistent with the originally approved development concept and will provide a more sensitive development for the site by reducing the overall density and removing units from steeper slopes and wet weather conveyances. Staff has reviewed the overall PUD, but technical review has been reserved to Phase 1 only. While staff recognizes the environmental constraints on Phase 2 and 3, those constraints can be addressed with subsequent preliminary or final plans for said phases.



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CONDITIONS

1. Stormwater has indicated that a stream bisects the area shown as Phase 2, and that there may also be sinkholes within Phase 2 and Phase 3. Any subsequent preliminary or final plan shall address all streams and sinkholes on the site. The presence of these features may require substantial changes to plans for Phase 2 and Phase 3, and may result in the loss of units.
2. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
3. The requirements of the Metro 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.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.

Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



Project No.
Project Name
Council District
School District
Requested by
Deferral

Subdivision 2007S-264G-12
Christiansted Valley Reserve
31 – Toler
2 - Brannon
Rubel Shelly et ux., owners
Deferred from the October 25, 2007, Planning Commission meeting at the request of the applicant

Staff Reviewer
Staff Recommendation

Jones
Approve with conditions

APPLICANT REQUEST

Concept Plan

A request for concept plan approval to create 24 lots within a cluster lot development on property located at 265 Holt Hills Road (10.02 acres), at the end of Christiansted Lane, zoned Single-Family Residential (RS15).

ZONING

RS15 District

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

PLAN DETAILS

The plan proposes 24 single-family residential lots in Christiansted Valley Reserve, a cluster lot development. The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 15,000 sq. ft. lots) to RS7.5 (minimum 7,500 sq. ft. lots) if the plan meets all the requirements of the cluster lot provisions of the Zoning Code. The proposed lots range in size from 7,517 square feet to 12,189 square feet.

Open Space

Pursuant to Section 17.12.090(D) of the Zoning Code, cluster lot subdivisions require a minimum of 15% open space per phase. The plan identifies 3.51 acres of common open space (35% of the site).

Steep Slopes

Section 17.28.030 of the Zoning Code requires developments utilizing this option cluster the lots on portions of the site that have natural slopes of less than 20%. Several areas on the site have slopes of 20% or greater. The lot layout is sensitive to those slope limitations and the plan has been designed to preserve these areas in their natural state.

Critical lots

Section 3-3.2 of the Subdivision Regulations requires lots created on slopes 20% or greater to be designated



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Access/Street Connectivity

as critical lots. The concept plan identifies four lots as critical lots on the site. A critical lot plan will be required for these lots and a minimum width of 75 feet at the building line is required for lots where slope rises away or is parallel to the street.

The development is accessible by a public road that extends through the adjacent subdivision, Christiansted Valley, which connects to Mt. Pisgah Road. An internal public road extends both to the west, ending in a cul-de-sac, and to the north with a stub street for a future connection. The proposed plan does not show a connection to the east, but the Adopted Major Street and Collector plan calls for a street connection that will ultimately lead to a connection with Nolensville Pike.

Sidewalks

Sidewalks are proposed on both sides of all streets.

Analysis

The purpose of the cluster lot option is to provide for flexible design, the creation of common open space, the preservation of natural features or unique or significant vegetation (Section 17.12.090). In exchange for alternative lot sizes, the development must include “common open space” that provides “use and enjoyment” value, that is, recreational, scenic or passive use value to the residents.

The cluster lot option provides design flexibility when the natural features and topography restricts development on the site. This concept plan successfully addresses the slope limitations and constraints to development by preserving those areas of the site and designating 35% of the site as open space. The plan, however, fails to address the need for a street connection to the east as required in the Southeast Community Plan. The Southeast Community Plan designates this area as a transportation deficiency area. Due to the lack of connectivity and an existing road system that is supportive of a more rural development pattern, traffic congestion and limited alternative routes are prevalent in the area.

The Southeast Community Plan states, specifically, that the planned connection of Christiansted Lane to Holt Hills Road, Bradford Hills Drive, and Mt. Pisgah Road should be implemented with the greatest sensitivity to the quality of life of area residents. Methods such as indirect connections and traffic calming measures



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should be employed to keep vehicle speeds low and to minimize traffic volumes. The recommended street connection to the east will continue an indirect street connection that reduces vehicle speed and minimizes traffic volumes, while still providing the needed connectivity. The stub street shown for a future connection to the north is also desirable, but a future connection to the east is preferred.

PUBLIC WORKS RECOMMENDATION

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

STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

This stage of the project is approved. More information will be needed for development beyond this point.

1. Any fire flow less than 20 psi will require a fire sprinkler system.
2. Fire Hydrants shall be in-service before any combustible material is brought on site.
3. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road.
4. Metro Ordinance 095-1541 Sec: 1568.020 B

STAFF RECOMMENDATION

Staff recommends approval with conditions of the proposed concept plan for Christiansted Valley Reserve. The concept plan adequately satisfies the provisions of the cluster lot development, but neglects the required street connection to the east as outlined in the Southeast Community Plan.

CONDITIONS

1. The concept plan shall be revised to provide the required street connection to the east. A guardrail shall be provided to prevent access from the private drive (Holt Hills) to the east until a public street connection is provided as part of future development of the property to the east.
2. The concept plan shall be revised to include a note that states lots 104 and 118 will incorporate house



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plans that are oriented to address both streets at the corner.

3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received 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 date of conditional approval by the Planning Commission.



Project No.
Project Name
Council District
School District
Requested by

SP Final Site Plan 2007SP-122U-05
Gallatin Pike SP (Fifth Third Bank)
8 - Bennett
6 - Johnson
Littlejohn Engineering Associates, applicant, for WMH Gallatin Road Partnership, owner.

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST
Final SP Site Plan

A request for final Specific Plan (SP) site plan approval on properties located at 4704 and 4706 Gallatin Pike, at the southeast corner of Gallatin Pike and Haysboro Avenue (0.88 acres), to permit a 4,137 square foot bank.

PLAN DETAILS
Site Plan

The proposed plan is for a 4,137 square foot bank on two existing parcels. The bank includes four drive-through lanes at the rear of the site.

Land Use

The proposed bank is consistent with the uses allowed within the Mixed-Use area of Sub-district 3 of the Gallatin Pike SP. Because the Gallatin Pike SP encompasses such a large area, the plan divides the properties into three districts. Each district includes a regulating plan with different land use areas. The two parcels included in this SP fall within the Mixed-Use area which allows most uses typically allowed under the MUL zoning district, including financial institutions.

Setbacks

The proposed building is setback approximately 10 feet from the Gallatin Pike Property line and approximately 10 feet from the Haysboro Avenue property line. The Gallatin Pike SP regulating plan calls for a “build-to line” of between 5 and 10 feet. The proposed plan is consistent with the Regulating Plan requirements.

Access/sidewalks

The plan includes one ingress/egress point on Gallatin Pike and one ingress/egress point on Haysboro Avenue. The plan includes eight-foot wide sidewalks on Gallatin Pike and a six-foot wide sidewalk on Haysboro Avenue.

Parking

Twenty-one parking spaces are proposed, which is consistent with the parking requirements for the SP



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Landscaping

district for this type of use, and consistent with the Zoning Code parking requirements for a bank.

The plan also proposes a 20-foot wide "Type C" landscape buffer yard to separate the bank from the adjacent RS10 district to the east, as required by the Gallatin Pike SP Ordinance.

Signage

Signage within this SP district is limited to building mounted and monument style signage with a maximum square footage of 48 square feet. Wall mounted building signs are to have a maximum area of 48 square feet. Monument signs do not exceed six feet in height. For any portion of the monument sign located within 15 feet of the driveway the maximum height is three feet. No back lit, or internally lit signs are permitted.

Monument Sign

One three-foot tall monument-style sign is proposed along the Gallatin Pike frontage. This sign will not be internally lit, but instead will be spot-lighted. The monument sign is consistent with the SP Ordinance standards.

Building Signs

Two building mounted signs are proposed, including one on the Gallatin Pike façade and one on the Haysboro Avenue façade.

STORMWATER RECOMMENDATIONS

Approved 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. Final design and improvements may vary based on field conditions.

Modify the center turn lane pavement markings on Gallatin Pike to allow for a left turn into the site. Provide a minimum of 50 ft of dedicated storage for the existing northbound left turn lane onto Solley Drive.

STAFF RECOMMENDATION

Staff recommends approval with conditions since the proposed SP final site plan is consistent with the requirements of the adopted ordinance.



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CONDITIONS

1. Prior to the issuance of any grading or building permits, a "Property Modification" application must be filed with the Planning Department to combine the two existing lots, and documentation must be provided to the Planning Department staff showing that the shared access easement, and right-of-way dedication along Haysboro Avenue, have been recorded at the Register of Deeds.
2. The uses in this SP final site plan are limited to the financial institution use depicted on the approved plan.
3. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the MUL zoning district as of the date of the applicable request or application.
4. A corrected copy of the SP final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after consideration by Planning Commission. If a corrected copy of the SP final site plan incorporating the conditions therein is not provided to the Planning Department within 120 days after the date of conditional approval by the Planning Commission, then the corrected copy of the SP final site plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, or any other development application for the property.
5. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.



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|-----------------------------|--|
| Project No. | Zone Change 2007Z-161U-13 |
| Associated Case | 2007CP-19U-13 |
| Council Bill | BL2007-27 |
| Council District | 32 – Coleman |
| School District | 6 – Johnson |
| Requested by | Wamble & Associates, applicant, for Amnon Shreibman, Trustee |
| Staff Reviewer | Sexton |
| Staff Recommendation | <i>Approve, subject to the approval of the associated Community Plan Amendment</i> |

APPLICANT REQUEST

Zone Change

A request to change from Agricultural/Residential (AR2a) to Industrial Warehouse/Distribution (IWD) zoning a portion of property located on 12848 Old Hickory Boulevard, approximately 1,790 feet south of Old Franklin Road (22 acres).

Existing Zoning

AR2a District

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

Proposed Zoning

IWD District

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

**ANTIOCH-PRIEST LAKE
COMMUNITY PLAN**

Structure Plan

EXISTING POLICY

Neighborhood Urban (NU)

NU is intended for fairly intense, expansive areas that are intended to contain a significant amount of residential development, but are planned to be mixed use in character. Predominant uses in these areas include a variety of housing, public benefit uses, commercial activities, and mixed-use development. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.



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PROPOSED POLICY Industrial (IN)

IN areas are dominated by one or more activities that are industrial in character. Types of uses intended in IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses.

Consistent with Policy?

Yes, subject to approval of the associated Community Plan amendment.

The existing NU land use policy prohibits industrial type uses and calls for a significant amount of residential development that is mixed use in character. The proposed zone change request would permit a wide range of warehousing, wholesaling, and bulk distribution uses.

There is an associated land use policy amendment from NU to IN policy with this rezoning request. The zone change from AR2a to IWD is consistent with the proposed IN policy which is intended for uses such as warehousing, wholesaling and bulk distribution.

Zoning History

On November 9, 2000, The Planning Commission recommended approval for a request to rezone 249.82 acres, which included this property, from AR2a to IWD.

On January 16, 2001, at Third Reading at Council, this 22 acre portion of the 249.82 acres was removed from the rezoning request in order to be dedicated as right-of-way for the future Southeast Arterial interchange. It is now been determined that the future southeast arterial will not cross this property.

PUBLIC WORKS RECOMMENDATION

No Exception taken.



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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) | 22 | 0.5 | 11 | 106 | 9 | 12 |

Maximum Uses in Proposed Zoning District: IWD

| Land Use (ITE Code) | Acres | FAR | Total Square Feet | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|-----|-------------------|-----------------------|--------------|--------------|
| Warehousing (150) | 22 | 0.8 | 731,808 | 3,044 | 342 | 315 |

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

| | | -- | | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----|--|----|--|-----------------------|--------------|--------------|
| -- | | | | 2,938 | 333 | 303 |

STAFF RECOMMENDATION

Staff recommends approval, subject to approval of the associated Community Plan Amendment.



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|-----------------------------|---|
| Project No. | Zone Change 2007SP-173U-10 |
| Project Name | 931 South Douglas Avenue |
| Council Bill | None |
| Council District | 17 – Moore |
| School District | 7 - Kindall |
| Requested by | Barge Cauthen & Associates, applicant, for Carter and Amanda Little, owners |
| Staff Reviewer | Bernards |
| Staff Recommendation | <i>Approve with conditions</i> |

APPLICANT REQUEST

A request to change from One and Two Family residential (R8) to Specific Plan-Residential (SP-R) zoning properties located at 931 and 935 S. Douglas Avenue, approximately 260 feet west of 9th Avenue South (1.0 acre), to permit 10 cottage units and a storage building.

Existing 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.

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-R.”
- 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.



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GREENHILLS/MIDTOWN COMMUNITY PLAN

Neighborhood General (NG)

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

*8th South Detailed Neighborhood
Design Plan*

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. This cottage development meets the goals of the DNDP by encouraging an appropriate mix of compatible housing types that provide the opportunity for mixed-income community and by encouraging new development to be sensitive to and compatible with the scale, mass, material and architecture of the historical context of the neighborhood. While the SFD policy calls for single units on a single lot, the creation of individually owned single-family residences in a cottage development pattern complies with the intent of the SFD definition.

PLAN DETAILS

Site Plan

The plan proposes a ten-unit cottage development, with a small storage building on a property one acre in size. The initial plan submitted proposed ten new cottages. This property is within the Waverly Place National Register Historic District and the Historic Commission reviewed the plans. As the existing house is considered a contributing structure to the Historic District, the applicant revised the plans to include the original portion of the existing house and nine new cottage units. The existing house and the new cottage closest to South Douglas Avenue will be oriented to the street and toward the common open space. The new cottages are proposed to be two stories in height with fiber-cement board siding and front porches. The front setbacks of the new cottage fronting South Douglas Avenue match the setbacks of existing house. The placement of the cottages on the plan has been designed to preserve as many of the existing mature trees as possible.



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Access

Vehicular access to the properties will be from the existing alley that loops around the property to the rear. There are sidewalks on South Douglas Avenue and an internal sidewalk system connecting the cottages to the open space and to the parking.

Parking

Twenty parking spaces are provided in four separate clusters to the side and rear of the property. Landscaping is proposed to screen the parking.

Waverly Place National Register Historic District

As noted above, this property is within the Waverly Place National Register Historic District. While this is not a Metro overlay, the Historic Commission staff was given the plans to review and make recommendations. The original portion of the existing house is considered a contributing structure to the Historic District and Historic Commission staff recommended that it be integrated into the plan. The applicant has revised the plan to include the existing house. There is a later addition which is not considered part of the contributing structure and will be demolished. Additional recommendations included orientation of the new front cottage towards Douglas Avenue, moving the storage building to the rear of the property, and modifying the design of the cottages. The applicant has addressed all of these comments.

The Historic Commission also made recommendations regarding the layout of the cottages so that the new units on the eastern side of the property sit behind the existing unit. The placement of the units has been designed so as to preserve as many of the existing mature trees as possible. The proposed plan, as revised, represents a balance between preserving the trees and addressing the Historic Commission staff comments.

RECENT REZONINGS

None

STORMWATER RECOMMENDATIONS

Preliminary SP approved.

URBAN FORESTER RECOMMENDATION

The site needs to meet the Tree Density Unit (TDU) requirements of the Zoning Code.



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The note asking for a certified arborist to be on call and make recommendations should be expanded to:

If the measures recommended by the certified arborist are successful in maintaining the health of the existing trees, the Urban Forester may allow the trees to count towards the TDU requirements.

The Urban Forester will need to be on hand to observe the trenching and grading activities.

FIRE MARSHAL RECOMMENDATION

Given that the buildings will be sprinklered, the project appears to comply with the code - NFPA 1 (2006 edit) Section 18.2.3.3.1

A fire department access road shall extend to within 50ft. of a least one exterior door that can be opened from the outside and that provides access to the interior of the building.

NES 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 any of the streets 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

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.



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Typical Uses in Existing Zoning District: R8

| Land Use (ITE Code) | Acres | Density | Total Lots | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|------------------------------|-------|---------|------------|-----------------------|--------------|--------------|
| Single-Family Detached (210) | 1 | 4.63 | 5 | 48 | 4 | 6 |

Typical Uses in Proposed Zoning District: SP

| Land Use (ITE Code) | Acres | Density | Total Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|------------------------------|-------|---------|-------------|-----------------------|--------------|--------------|
| Single-Family detached (210) | 1 | n/a | 10 | 96 | 8 | 11 |

Maximum Uses in Existing Zoning District: R8

| Land Use (ITE Code) | Acres | Density | Total Lots | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----------------------------|-------|---------|------------|-----------------------|--------------|--------------|
| Single-Family Detached () | 1 | 4.63 | 5 | 48 | 4 | 6 |

Maximum Uses in Proposed Zoning District: SP

| Land Use (ITE Code) | Acres | Density | Total Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----------------------------|-------|---------|-------------|-----------------------|--------------|--------------|
| Single-Family Detached () | 1 | n/a | 10 | 96 | 8 | 11 |

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

| Land Use (ITE Code) | Acres | -- | | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|---------------------|-------|----|----|-----------------------|--------------|--------------|
| -- | 0.32 | | +5 | +48 | +4 | +5 |

METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 1 Middle 1 High

Schools Over/Under Capacity

Students would attend Norman Binkley Elementary School, Croft Middle School, or Overton High School. Norman Binkley and Overton High School have been identified as being over capacity by the Metro School Board. A high school in a neighboring cluster has capacity. The fiscal liability for one elementary students is \$14,000. This is for informational purposes to show the potential impact of this proposal. It is not a staff condition of approval. This information is based upon data from the school board last updated April 2007.

STAFF RECOMMENDATION

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



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CONDITIONS

1. The uses in this SP are limited to ten cottage units and one storage building.
2. Prior to the issuance of any Use and Occupancy permits, all requirements of the Urban Forester shall be met.
3. The electrical boxes shall not be visible from the street.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS3.75 zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific



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conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

7. The requirements of the Metro 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.



| | |
|-----------------------------|---|
| Project No. | Zone Change 2007Z-175G-12 |
| Associated Case | Planned Unit Development 2007P-004G-12 |
| Council Bill | None |
| Council District | 31 - Toler |
| School District | 2 - Brannon |
| Requested by | Atwell-Hicks, applicant for General Construction Company, Inc., owner |
| Staff Reviewer | Swaggart |
| Staff Recommendation | <i>Approve</i> |

APPLICANT REQUEST

A request to change from Commercial Limited (CL) and Agricultural and Residential (AR2a) to Mixed Use Limited (MUL) (2.76 acres), and Single-Family, Two-Family, and Multi-Family Residential (RM15) (5.06 acres) zoning for property located at 6365 Nolensville Pike.

Existing Zoning
CL District

Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses.

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
MUL District

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

RM15 District

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

SOUTHEAST COMMUNITY PLAN

Neighborhood Center (NC)

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and



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Corridor General (CG)

socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

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.

Consistent with Policy?

Yes. Both zoning districts are consistent with the area's policies. While the plan calls for a portion of commercial in the Corridor General policy area, which is not intended for stand alone commercial uses, the overall PUD plan is consistent with both the Corridor General and Neighborhood General policies.

RECENT REZONINGS

None.

PUBLIC WORKS RECOMMENDATION

Maximum Uses in Existing Zoning District: CL and AR2a

| Land Use (ITE Code) | Acres | Density | Total Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|------------------------------|-------|---------|-------------|-----------------------|--------------|--------------|
| Single-Family Detached (210) | 8.63 | 0.5 | 4 | 54 | 13 | 6 |

Maximum Uses in Proposed Zoning District: MUL with PUD

| Land Use (ITE Code) | Acres | FAR | Total Square Feet | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----------------------|-------|-----|-------------------|-----------------------|--------------|--------------|
| General Office (710) | 2.76 | N/A | 17,926 | 356 | 48 | 99 |



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Maximum Uses in Proposed Zoning District: RM15 with PUD

| Land Use (ITE Code) | Acres | Density | Total Units | Daily Trips (weekday) | AM Peak Hour | PM Peak Hour |
|----------------------------------|-------|---------|-------------|-----------------------|--------------|--------------|
| Residential Condo/townhome (230) | 5.87 | 15 | 72 | 486 | 40 | 46 |

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 |
|---------------------|-------|----|--|-----------------------|--------------|--------------|
| -- | | | | 788 | +75 | 139 |

METRO SCHOOL BOARD REPORT

Projected student generation

10 Elementary 7 Middle 5 High

Schools Over/Under Capacity

Students would attend Shayne Elementary School, Oliver Middle School and Overton High School. All three schools have been identified as full by the Metro School Board. There is capacity for in the adjacent Glencilff cluster, but only for middle school students. The fiscal liability generated by this request is \$140,000 for elementary students and \$100,000 for high school students. This information is based upon data from the school board last updated April 2007.

STAFF RECOMENDATION

The requested MUL and RM15 districts as well as the associated preliminary PUD are consistent with the area's policies and staff recommends that the rezoning request be approved.



| | |
|------------------------------|---|
| Project No. | Planned Unit Development 2007P-004G-12 |
| Project Name | Governors Chase II |
| Associated Case | Zone Change 2007Z-175G-12 |
| Council Bill | None |
| Council District | 31 - Toler |
| School Board District | 2 - Brannon |
| Requested By | Atwell-Hicks, applicant for General Construction Company, Inc., owner |
| Staff Reviewer | Swaggart |
| Staff Recommendation | <i>Approve with conditions.</i> |

APPLICANT REQUEST
Preliminary PUD

A request for preliminary PUD approval for property located at 6365 Nolensville Pike, at the northwest corner of Nolensville Pike and Holt Road (7.82 acres), zoned CL and AR2a and proposed for MUL and RM15, to permit 72 multi-family units, 17,926 square feet of general office space, and 16,022 square feet of retail space.

PLAN DETAILS
General

The request is for preliminary approval for a new Planned Unit Development to permit the development of 72 multi-family units, 17,926 square feet of general office space, and 16,022 square feet of retail space. The property is located at the northwest corner of Nolensville Pike and Holt Road. The property is on a large hill that slopes up from the road and is densely wooded except for a small portion along Nolensville Pike. There are two structures along Nolensville Pike, while the remainder is vacant.

The office and retail space will be provided in a two-story structure fronting Nolensville Pike. The floor area ratio (FAR) will be 0.28, well below the 1.0 permitted in the MUL district. The residential portion of the plan will be behind the commercial building and will include 72 units at a density of approximately 14 dwelling units per acre. The residential units will be provided in two 36 unit structures.

The commercial portion will primarily be accessed from Nolensville Pike and the residential portion will primarily be accessed from Holt Road. While access points are provided for both portions of the development, the two sections will be connected by a



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Sidewalks

private drive so the commercial and the residential portions of the development will have access to both Nolensville Pike and Holt Road.

The plan shows sidewalks along Nolensville Pike. The plan also shows an adequate internal sidewalk system which will allow ease of pedestrian movement between the residential and commercial portions of the development. Sidewalks are not shown along Holt Road, and are not required as this request is outside the Urban Services District and has a Sidewalk Priority Index (SPI) score less than twenty. Because this is a PUD sidewalks can be required, but due to the steepness of the topography along Holt Road, staff is not requiring that a sidewalk be constructed.

Parking

A total of 280 parking spaces are shown on the plan. This meets the parking requirements of the Zoning Code. A majority of the parking will be provided on surface parking. There will also be some garage parking provided beneath the two residential buildings.

Landscape Buffer

A "C" type landscape buffer yard is shown along the northern and western property line. An A type landscape buffer is shown between the commercial portion and residential portion of the PUD.

Environmental

While the property is on a large hill, the proposed plan works well with the existing topography and limits the amount of cut that will be required.

Staff Analysis

The plan is consistent with the area's policies. Furthermore, the proposed plan is sensitive to the environmental challenges of the site, and has been designed to limit cutting of the hill.

PUBLIC WORKS RECOMMENDATION

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

STORMWATER RECOMMENDATION

Approved with conditions:
1. For the east section of the site, water quality can't be handled through an underground detention system.

STAFF RECOMMENDATION

Staff recommends approval with conditions.



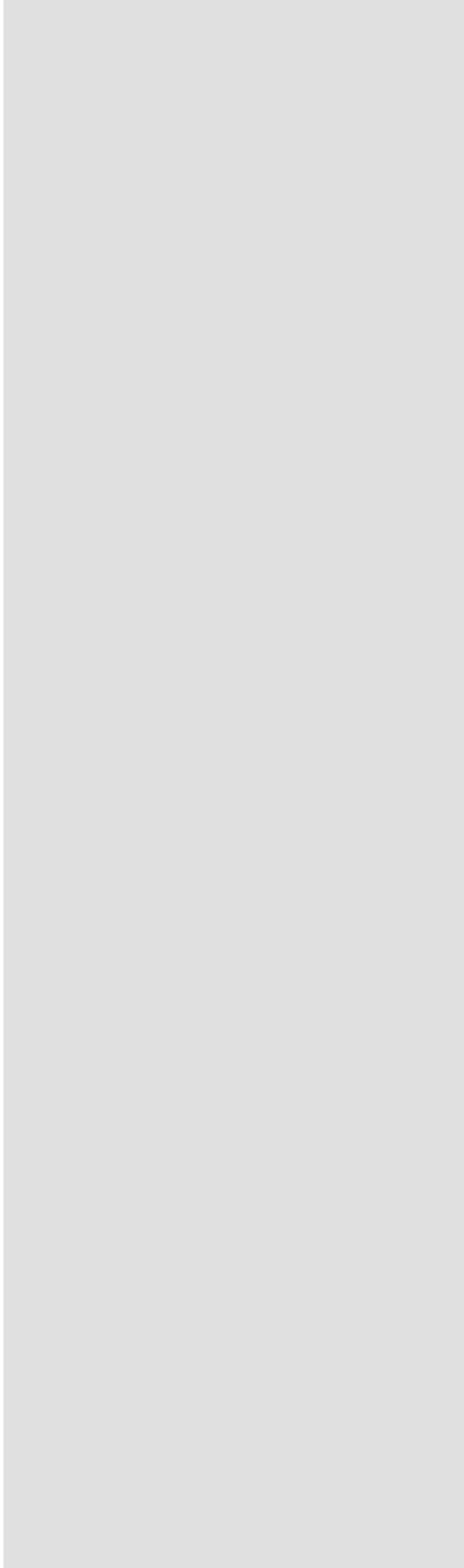
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CONDITIONS

1. A second sidewalk connection shall be provided from the commercial portion of the development to the sidewalk along Nolensville Pike. This connection shall be near the Nolensville Pike/Holt Road intersection.
2. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
3. The requirements of the Metro 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.
4. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
5. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
6. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120



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days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.



| | |
|------------------------------|--|
| Project No. | Planned Unit Development 2007P-005U-13 |
| Project Name | The Shoppes at Ridgeview |
| Associated Case | UDO Cancellation 2003UD-003U-13 |
| Council District | 33 - Duvall |
| School Board District | 6 - Johnson |
| Requested By | Dale and Associates, applicant for Ridgeview Heights, LLC, owner |
| Staff Reviewer | Swaggart |
| Staff Recommendation | <i>Disapprove</i> |

APPLICANT REQUEST
Preliminary PUD

A request for preliminary Planned Unit Development approval for a portion of property located along the east side of Bell Road, approximately 520 feet north of Bell Forge Lane, (5.2 acres), zoned MUL and RM9 and currently located within the Ridgeview Urban Design Overlay, to permit 40,411 square feet of retail.

Existing Zoning
 MUL District

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

RM9 District

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

ANTIOCH/PRIEST LAKE
COMMUNITY PLAN POLICY

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.

Consistent with Policy?

No. The PUD plan proposes commercial uses only and does not implement the intent of the CG policy which is predominately residential in character. The larger



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Ridgeview UDO provides for an overall mix of commercial and residential uses that is consistent with the policy. In addition, a portion of the property within the proposed PUD boundary is zoned RM9, and does not permit commercial uses.

PLAN DETAILS

General

The request is for preliminary approval for a new Planned Unit Development to permit the development of 40,411 square feet of retail space. The property is located on the east side of Bell Road, approximately 520 feet north of Bell Forge Lane. The property is also currently within the Ridgeview UDO. There is an associated request to cancel the portion of the UDO covering this property (see UDO proposal 2003UD-003U-13).

The proposed development would consist of three individual buildings. All buildings would be on individual lots, and would require a future subdivision. Two of the buildings would be located closer to Bell Road and the third larger building would be behind the two smaller buildings. The larger building shown on out parcel A is 20,511 square feet. The building on out parcel B would be 6,900 square feet, and the building on out parcel C would be 13,000 square feet.

Access

Access into the development would be provided indirectly from Bell Road via Musial Boulevard, which currently is not completed. A joint access easement is shown across the site and would allow for cross-access between the out parcels, as well as allow for connectivity to the northwest adjacent property.

Parking

Metro Code requires 202 parking spaces for 40,411 square feet of retail, and the plan calls for a total 202 spaces. While the overall development meets the parking requirements, each building is proposed to be on a separate lot and each lot must either provide the minimum number of required parking spaces or utilize parking on the adjacent lots through a shared parking agreement. Outparcel C is required to have 65 parking spaces, but is only providing 61 and must either provide additional parking or utilize a shared parking agreement. A shared parking study would be required by the Zoning Code if shared parking is pursued. A study has not been submitted.



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Landscape Buffer

A landscaped buffer is required between the MUL and RM9 zoning districts. The plan shows a 10 foot wide, "C" type landscape buffer, and is in compliance with the zoning requirements.

Staff Analysis

This proposal is currently located within the Ridgeview Urban Design Overlay. While there is a request to cancel UDO for this property, staff recommends that the cancellation request as well as this request for a PUD be disapproved. Staff is recommending disapproval for several reasons. First, this commercial plan is not consistent with the area's CG policy, which calls for predominantly residential uses. While the UDO allows for commercial uses in this area, it requires a mixture of residential and commercial which is more consistent with the policy. Second, the UDO was created to provide a comprehensive development scenario for all the properties in the overlay. This plan removes the UDO from a portion of the overlay and allows it to develop in a way that is inconsistent with UDO and the CG policy. Third, Metro records indicate that a portion of the property within the proposed PUD boundary is zoned RM9 which does not permit commercial uses.

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. Prior to the issuance of any use and occupancy permits, construct a northbound right turn lane on Bell Road at project access drive with 150 ft of storage and transitions per ASSHTO/MUTCD standards.

STORMWATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends that the request be disapproved because it is inconsistent with the policy and proposes commercial uses in an area zoned for residential uses.

CONDITIONS (if approved)



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1. The plan is not admissible under the existing base zoning, and shall be revised to be consistent with existing base zoning, or a new zoning that will allow for this PUD must be approved by Council.
2. If the total number of required parking spaces will not be provided on each lot, then a shared parking study must be approved by the Metro Traffic Engineer, prior to final PUD approval. A shared parking arrangement shall be submitted with the final PUD application.
3. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed five feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All other signs shall meet the base zoning requirements, and must be approved by the Metro Department of Codes Administration.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that total floor area be reduced.
6. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a



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corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.



| | |
|------------------------------|--|
| Project No. | Urban Design Overlay 2003UD-003U-13 |
| Project Name | Ridgeview Urban Design Overlay |
| Associated Case | Planned Unit Development 2007P-005U-13 |
| Council Bill | None |
| Council District | 33-Duvall |
| School Board District | 6 – Johnson |
| Requested By | Dale and Associates, applicant for Ridgeview Heights, LLC, owner |
| Staff Reviewer | Swaggart |
| Staff Recommendation | <i>Disapprove</i> |

APPLICANT REQUEST
Cancel UDO

A request to cancel a portion of the Ridgeview Urban Design Overlay district located at Bell Road (unnumbered), zoned RM9 and MUL (5.2 acres).

URBAN DESIGN OVERLAY
Section 17.36.270 of the Zoning Code

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

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

Existing Zoning
MUL District

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



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RM9 District

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

ANTIOCH/PRIEST LAKE COMMUNITY PLAN POLICY

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.

Consistent with Policy?

No. A preliminary PUD application has been filed in conjunction with the request to cancel this portion of the UDO that calls for commercial uses only and does not implement the intent of the Corridor General policy, which is predominately residential in character. While the UDO allows for commercial uses in this area, it requires mixture of residential and commercial to be consistent with the CG policy. The UDO was created to provide a comprehensive development scenario for all the properties in the overlay. This request removes a portion of property from the overlay and would allow it to be developed inconsistent with rest of the UDO and the CG policy. A portion of the property is zoned RM9, and does not permit commercial uses, and would require a zone change.

**PUBLIC WORKS
RECOMENDATION**

No Exceptions Taken

**STORMWATER
RECOMMENDATION**

No Exceptions Taken

STAFF RECOMMENDATION

Staff recommends that the request be disapproved because it is inconsistent with the policy and the associated PUD request proposes commercial uses in an area zoned for residential uses.



Project No.
Project Name
Council District
School District
Requested By

Subdivision 2005S-261G-04
Liberty Downs
10 - Ryman
3 - North
Austin M. Writesman & Jack Nixon, owners, MEC,
Inc., surveyor/engineer

Staff Reviewer
Staff Recommendation

Logan
Disapprove

APPLICANT REQUEST
Preliminary Plat

A request to extend the preliminary approval to September 22, 2008, where the preliminary approval expired on September 22, 2007, for 59 lots in a cluster lot subdivision located on the east side of Liberty Lane, approximately 850 feet north of Peebles Court (17.38 acres), classified within the Single-Family Residential (RS10) District.

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.

SUBDIVISION REGULATION

The Subdivision Regulations state the following:

Section 3-3.5
(1991 Subdivision Regulations)

Effective Period of Preliminary Approval -- The approval of a preliminary plat shall be effective for a period of two (2) years. Prior to the expiration of the preliminary approval, such plat approval may be extended for one (1) additional year upon request and if the Planning Commission deems such appropriate based upon progress made in developing the subdivision. For the purpose of this section, progress shall mean installation of sufficient streets, water mains, and sewer mains and associated facilities to serve a minimum of ten percent (10%) of the lots proposed within the subdivision.

Any subdivision having received preliminary approval, a section or phase of which has received final approval and has been recorded within the period of preliminary approval affectivity, will not be subject to preliminary expiration (see 3-6). Should preliminary approval expire for any reason, any submittal for Planning Commission reapproval shall be subject to current Zoning Regulations and Subdivision Regulations in force at that time.



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Section 1-9.2 (2006 Subdivision Regulations)

Subdivisions Submitted or Approved Prior to the Effective Date. Any subdivision submitted as a complete application or approved in preliminary or final form, but not yet expired, prior to the effective date may, at the discretion of the applicant, continue under the subdivision regulations adopted March 21, 1991, as amended, but no extensions shall be granted for these subdivisions.

APPLICANT REQUEST Preliminary Plat

The applicant has requested an extension to September 22, 2008, of the preliminary plat approval. The preliminary plat for Liberty Downs was approved with conditions by the Planning Commission on September 22, 2005, under the prior Subdivision Regulations, which were approved in 1991. It expired pursuant to Subdivision Regulation 3-3.5 (1991) on September 22, 2007, since no final plats have been approved. The applicant's representative submitted a letter requesting an extension on August 28, 2007, prior to the expiration of the preliminary plat. Therefore, the request will be reviewed in accordance with Section 3-5.5 of the prior Subdivision Regulations.

The applicant states that they began the engineering work within one month of preliminary plat approval, but had to pause due to the impact of a tornado on another project. Construction plans were approved by Stormwater on December 5, 2006, and Public Works on May 24, 2007. The applicant is still working on approval from Madison Suburban Utility District because they have not been able to provide the required large diameter water line and associated easements.

Section 3-3.5 of the 1991 Subdivision Regulations, which are the regulations under which this subdivision was approved, states that progress is the basis for granting an extension. As defined by Section 3-3.5 below, progress is defined as the "installation of sufficient streets, water mains, and sewer mains and associated facilities to serve a minimum of ten percent (10%) of the lots proposed within the subdivision." The applicant has not begun construction on streets, water mains, sewer mains, or associated facilities. Therefore, this provision has not been met. Additionally, Section 1-9.2 of the 2006 Subdivision Regulations states that preliminary plats approved



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under the 1991 Subdivision Regulations shall not be extended.

SUBDIVISION DETAILS

At the September 22, 2005, meeting, the Planning Commission granted conditional preliminary plat approval. The staff report is included below. Conditions 3 and 4, and Public Works recommendation number 5 were removed at the Planning Commission meeting.

STAFF RECOMMENDATION

Staff recommends disapproval of the extension request. Because construction has not begun, Section 3-3.5 of the 1991 Subdivision Regulations has not been met. Additionally, Section 1-9.2 of the 2006 Subdivision Regulations clearly states that preliminary plats approved under the 1991 Subdivision Regulations can not be extended.

September 22, 2005 Staff Report

Since this request is to extend the approval of the existing plan, no new plan has been submitted and no staff report analyzing the plan was prepared. Below is the previous staff report from September 22, 2005, including the conditions of approval.

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots). The proposed lots range in size from 5,000 square feet to 10,489 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space. The applicant complies with this requirement by proposing a total of 6.83 acres (39%) of open space – which exceeds the minimum open space acreage required. The applicant has chosen the cluster lot option because a stream and TVA transmission line easement run through the property.

SUBDIVISION DETAILS

Access/Street Connectivity

Access is proposed from both Liberty Lane and Peeples Court with a stub street proposed to the east for future connectivity.



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Sidewalks

Sidewalks are proposed along all the new streets within the subdivision. Sidewalks are not required along Liberty Lane and Peebles Court since it is within the General Services District and not in an area with a Sidewalk Priority Index (SPI) greater than 20.

Landscape Buffer Yards

Landscape buffer yards (C-20') are proposed around the western and northern boundary of the property since the lots are reduced in size two zoning districts. Lots 21 thru 23 are required to have a landscape buffer yard along the property line since they are perimeter lots that are reduced down to two base zone districts.

STORMWATER RECOMMENDATIONS

The buffer that is shown is 30 ft. from centerline of drain in most places. It has been squeezed down a little in other places (near lot 32). This is acceptable for the preliminary concept, but on grading plans and final plat, the actual buffer of 25' from top of bank is to be shown, if it is larger than what is currently shown. This could affect the lot sizes and pond sizes and their locations.

During grading plan review, approval from the Tennessee Valley Authority will be required to receive approval for any grading or drainage within their easement. This could potentially affect your water quality concept, roadways, lots, etc.

PUBLIC WORKS RECOMMENDATIONS

1. Show professional seal.
2. Approvals are subject to Public Works' review and approval of construction plan.
3. Construct Liberty Lane to Meridian Hill Trail intersection.
4. Construct Meridian Hill Trail stub street to property line.
5. ~~Traffic recommends that Wintergreen Way terminate in a cul-de-sac with no connection to Peebles Court, due to queue distance and separation~~



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~~of Wintergreen Way from the Peoples Court /
Liberty Lane intersection.~~

CONDITIONS

1. All traffic conditions listed above must be completed or bonded prior to final plat approval.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to approval of any final plat. 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.
3. ~~Prior to final plat approval, a landscape buffer yard (Standard Type C "20 feet") is required and is to be shown along the property lines of lots 21 thru 23.~~
4. ~~In connection with the Public Works' condition requiring Wintergreen Way to end in a cul-de-sac, a 10 foot wide public pedestrian easement shall be provided and constructed to provide pedestrian and bicycle access from Wintergreen Way to People's Court.~~



Project No.
Project Name
Council District
School District
Requested By

Subdivision 2007S-289U-08
Hallmark at River View Homes
21 - Langster
1 - Thompson
Charles Binkley and Eatherly Family Holdings Co.,
owners, T-Square Engineering, surveyor

Staff Reviewer
Staff Recommendation

Logan
*Approve with conditions, including a variance from
Section 3-4.2 of the Subdivision Regulations for street
frontage*

APPLICANT REQUEST
Concept Plan

A request for concept plan approval to create 55 lots of which 41 lots are designated for single-family and 14 lots for duplex units for a total of 69 dwelling units on property located at Clarksville Pike (unnumbered), approximately 790 feet west of Ed Temple Boulevard (14.25 acres), zoned One and Two-Family Residential (R6).

ZONING
R6 District

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots. Under the current zoning, the number of lots permitted is 103. With the consideration that 25% are duplex lots, the total permitted unit count is 126.

PLAN DETAILS

The plan proposes 55 lots on four new streets. The lot sizes range from 6,003 to 10,975 square feet. The property is zoned R6, and 25% of the lots in the subdivision may be duplex units; therefore 14 lots (28 units) in the proposed subdivision are designated as duplex units. The majority of duplex lots are located on corners. A note has been added to the concept plan that states "All duplex lots other than 30 & 31 shall address each street or open space with architectural features such as doors, windows, dormers, porches, etc." Lots 30 and 31 are two of the larger lots in the development, which are appropriate for standard duplexes within this development. The lot sizes range from 6,003 to 10,975 square feet.

The applicant has shown a second access to Ed Temple Boulevard through an existing easement to the east, and has proposed a design that has both vehicular and pedestrian access. This project is in the concept plan



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Section 3-4.2

stage. Documentation must be submitted with the development plan demonstrating that the neighboring property owner has granted a public access easement to permit construction of the proposed driveway and to permit permanent ingress/egress to the project. The development plan shall include construction plans for the proposed second access. If the easement cannot be upgraded, then a similar, secondary access drive/road must be obtained prior to approval of the development plan. The driveway must be upgraded to the standards shown on the concept plan prior to the issuance of any building permits.

Section 3-4.2 requires that each lot has frontage on a public street. The original plan submitted to the Planning Department included open space that was not usable. Staff worked with the applicant to redesign the plan to incorporate almost the same number of lots and an open space that is usable for the entire subdivision. This design includes four lots fronting onto the open space. Two of these lots are accessible from an alley but do not have frontage on the public street. Therefore, staff recommends a variance from Section 3-4.2 in order to provide usable open space for the community. The two lots do have alley access at the rear, while the open space is narrow enough to allow emergency vehicles to access the homes, if necessary.

History

A request to rezone this property to Specific Plan was on the agenda for the February 22, 2007, Planning Commission meeting. The request was approved for 96 multi-family units in seven buildings. The request was withdrawn on second reading at Metro Council.

PUBLIC WORKS RECOMMENDATION

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

Show River View Lane as an access / utility easement to the adjacent lot. Confirm proposed modifications to adjacent property with adjoining property owner. Verify remaining parking count per code requirements. Minimum parallel parking space is 8' x 23'.



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Construct an acceleration lane on Clarksville Pike per AASHTO/MUTCD standards for motorist turning left from this development.

Construct the access drive onto Clarksville Pike with one entering and two exiting lanes

No residential lots shall have direct driveway access to Clarksville Pike.

STORMWATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions, including a variance from Section 3-4.2 of the Subdivision Regulations for no lot frontage on a public street.

CONDITIONS

1. Prior to the development plan submittal, the applicant shall acquire the right to upgrade the existing easement to Ed Temple Blvd as shown on the concept plan. Documentation must be submitted with the development plan demonstrating that the neighboring property owner has granted a public access easement to permit construction of the proposed driveway and to permit permanent ingress and egress to the project. The development plan shall include construction plans for the proposed second access. If the easement cannot be upgraded, then a similar, secondary access drive/road must be obtained prior to approval of the development plan. No grading permits will be issued prior to development plan approval. The driveway must be upgraded to the standards shown on the concept plan prior to the issuance of any building permits.
2. All building envelopes shall be outside of areas of 25% slope or greater and 100 year flood elevation. Building envelopes shall be 25 feet from the top of fill slope. Show building envelopes for Lots 10-30 only and label these as critical lots.
3. Shift the lot lines between Lots 30 and 31 to even out the lot sizes.
4. A geotechnical study must be submitted with the development plan application. The number of lots may be required to be reduced and/or the location of



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lots changed based on the outcome of the geotechnical study.

5. Revised plans must comply with Public Works requirements.
6. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, because this application has received 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 date of conditional approval by the Planning Commission.



Project No.
Project Name
Council District
School District
Requested by

Planned Unit Development 116-74-G-12
Oak Highlands, Lot 288 Setback Variance
32 - Coleman
2 - Brannon
Joe and Dorothy Pendergrast, owners

Staff Reviewer
Staff Recommendation

Logan
Approve

APPLICANT REQUEST

A request for a variance to Table 17.12.020A of the Zoning Code for property within the Oak Highlands Residential Planned Unit Development district located at 5701 Sonoma Trace, at the southwest corner of Sonoma Trace and Oak Chase Drive, classified One and Two-Family Residential (R15) district, (0.22 acres), to allow a 10 foot rear setback where 20 feet is required by the Zoning Code.

ZONING
R15 District

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

PLAN DETAILS

Typically, setbacks in PUDs are determined by what is approved on the PUD plan. In this case, the PUD does not address setbacks and the plat indicates that the setbacks are to be determined by the standard requirements of the Zoning Code. The procedure for varying from setbacks required in the Code is to obtain a variance from the Board of Zoning Appeals (BZA). Because this property is within a PUD, the Planning Commission must make a recommendation to the BZA. The proposed setback is consistent with the intent of the PUD. If the BZA finds that the requirements for the variance have been met, staff recommends approval.

The applicant is requesting a 10 foot rear setback where 20 feet is required by the Zoning Code. The building permit application indicates that the applicant is constructing a 10x12 heated sunroom addition to the rear of the residence. There is an existing deck, to which this addition will be attached, that has a rear setback of 10 feet.

STAFF RECOMMENDATION

Staff recommends approval.



Project No.

Project Name

Council District

School Board District

Requested By

Planned Unit Development 66-78-U-12

Bethany Health and Rehabilitation Center

27 - Foster

2 - Brannon

Climer & Associates, applicant, for Avalon Health Care LLC, owner

Staff Reviewer

Jones

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Revise Preliminary PUD

And Final PUD Approval

A request to revise a portion of the preliminary plan and for final site plan approval of a Residential Planned Unit Development district located at 421 Ocala Drive, at the northwest corner of Hickory Plaza and Hickory View Drive (3.48 acres), zoned RM15, to permit a 1,700 square foot addition for office space and a revised parking layout.

PLAN DETAILS

Site Plan

The Bethany Health and Rehabilitation Center is a nursing home situated on 3.48 acres. The existing building totals 58,445 square feet. The plan includes a 1,700 square foot office addition bringing the total building square footage to 60,145 square feet. The plan also includes a new parking lot layout.

If was a commercial PUD, then the addition of commercial space would customarily be compared to the approved existing floor area ratio within the PUD. Section 17.40.120 (G) of the Zoning Code stipulates that any change in commercial square footage greater than 10% of the floor area ratio within a commercial PUD requires an amendment and approval by the Metro Council. However, since this is a residential PUD district, the addition of office space would be considered an accessory use and the provisions regarding increases in commercial square footage would not apply.

Access/Parking

The site is accessible by a private drive that connects to Ocala Drive. The plan proposes a redesign to the parking area. The parking lot will be re-striped to include both 90 degree and 60 degree angle parking aisles. A total of 92 parking spaces are planned for the site. Section 17.20.030 of the Zoning Code requires a minimum of five parking spaces for the office addition



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Landscaping

and 66 parking spaces for the existing structure. The plan proposes a total of 92 parking spaces, exceeding the minimum parking requirements.

The landscaping plan proposes a total of 15 trees and 19 shrubs. Interior planting areas are located along the perimeter of the parking lot and at the end of each parking bay.

Elevations

The site plan includes both front and side elevations. The building addition has a proposed height of 15 feet and will be constructed with materials to match the existing structure.

Preliminary Plan

The PUD was originally approved in 1978 to permit a nine-story retirement center on six acres. In 1988, the preliminary plan was revised to include a one story nursing home and a 14 story elderly apartment building on a total of 15.7 acres. As proposed, the plan is consistent with the intent of the approved preliminary plan and does not require approval from Council.

PUBLIC WORKS RECOMMENDATION

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

STORMWATER RECOMMENDATION

No permit required.

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions.

CONDITIONS

1. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
2. The requirements of the Metro 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.



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3. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
4. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
5. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
7. The PUD final site plan 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 may require reapproval by the Planning Commission and/or Metro Council.
8. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



Project No.
Project Name
Council District
School Board District
Requested By

Staff Reviewer
Staff Recommendation

Planned Unit Development 18-84-U-10
Burton Hills, Covenant Presbyterian
 25 - McGuire
 8 - Fox
 Barge Cauthen and Associates, applicant for Covenant Presbyterian Church, owner.

Swaggart
Approve with conditions

APPLICANT REQUEST
Preliminary PUD

A request to revise the preliminary plan and final site plan approval for a Residential Planned Unit Development located on the north side of Harding Place east of Hillsboro Pike (2.22 acres), zoned R15 and R40, to permit grading, including the removal of mature trees within open space, for the construction of a playground.

PLAN DETAILS

Preliminary Plan

Staff Analysis

The request is to revise the approved preliminary plan for a portion of the Burton Hills Planned Unit Development to allow for the construction of a small playground within an area designated as open space.

The area proposed for the playground is on a steep hill that slopes towards Harding Place. The plan proposes that a portion of the hill be graded in order to provide a level play area. There are many mature trees in the open space area, and grading will remove all of the trees in the area designated to be graded. While numerous large and small trees will be lost, a large area with trees will remain between the playground and Harding Place.

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 and the plan was last amended in 1998 for the church on top of Rosebud Hill. This request does not propose any additional building space, and is not in conflict with the overall concept of the Council-approved approved PUD plan. No Special Exception is required as the Zoning Administrator has indicated that a playground is considered an accessory use in the R40 zoning district.

The proposed plan does not propose any additional development rights, only that a small area be graded for



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the purpose of providing a playground. While numerous large trees will be lost, a large area between the proposed playground and Harding Place will remain intact. The plan is in compliance with tree density requirements of the Zoning Code.

**PUBLIC WORKS
RECOMMENDATION**

No Exceptions Taken

**STORMWATER
RECOMMENDATION**

Approved

STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions.

CONDITIONS

1. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
2. The PUD final site plan 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 may require reapproval by the Planning Commission and/or Metro Council.



| | |
|-----------------------------|--|
| Project No. | Planned Unit Development 2003P-009U-08 |
| Project Name | Parc At Metro Center (PUD Amendment) |
| Council Bill | None |
| Council District | 2 – Harrison |
| School District | 1 – Thompson III |
| Requested By | Bernard L. Weinstein and Associates, applicant for American Realty and Trust, owner. |
| Staff Reviewer | Sexton |
| Staff Recommendation | <i>Approve with conditions</i> |

APPLICANT REQUEST
Amendment to Preliminary PUD

A request to amend the Residential Planed Unit Development district located abutting the north side of Dominican Drive and the west side of Athens Way, classified Multi-Family Residential (RM20), (6.25 acres), to increase from 98 to 118 multi-family units in Phase II.

ZONING
 RM20

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

PLAN DETAILS

History

The preliminary PUD was originally approved by the Metro Planning Commission on May 22, 2003, and Metro Council on July 15, 2003, for 242 residential multi-family units on 16.57 acres, abutting the west side of Athens Way, north of Dominican Drive. On October 28, 2004, a final PUD plan for Phase 1 was approved to permit the development of 144 multi-family units on 10.26 acres of land.

Phase II Site Plan

Phase II of the PUD was originally approved for a total of 98 units in four buildings on 6.25 acres of land. The plan amendment proposes to add 12 units to building A for a total of 42 units, and to add 8 units to building B for a total of 28 units. Buildings A and B are proposed to be 4 stories in height. Buildings C and D are each 3 stories in height and contain 24 units. The plan includes 118 units, with 68 one-bedroom units and 50 two-bedroom units.

Parking

A total of 192 parking spaces are proposed at one space per unit for the one-bedroom units and 1.5 spaces per unit for the two-bedroom units.



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Access

Primary access is from Athens Way Drive. An existing gravel drive to Tenth Avenue North was considered by staff as a potential secondary drive into the PUD. Due to topography issues and a sharp curve on Tenth Avenue, the existing gravel drive would not provide a safe ingress/egress for vehicular traffic flow onto Tenth Avenue North.

PUBLIC WORKS RECOMMENDATION

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

Coordinate solid waste disposal and recycling collection with the Department of Public Works solid waste division.

STORMWATER RECOMMENDATION

Add correct FEMA note to plans.
Provide a water quality concept.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed amendment is consistent with the original concept of the PUD and the base zoning.

CONDITIONS

1. Coordinate solid waste disposal and recycling collection with the Department of Public Works solid waste division.
2. Prior to final site plan approval, all Stormwater conditions shall be met.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro 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.



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5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
6. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
7. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.



Project No.
Project Name

Planned Unit Development 2004P-036U-07
Nashville West Shopping Center (PUD
Revision)

Council District
School District
Requested By

20 - Baker
1 - Thompson, III
Littlejohn Engineering Associates, applicant for
Nashville West Shopping Center, LLC, owner

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST
Revision to Preliminary
and Final PUD site plan

A request to revise the preliminary plan and PUD final site plan approval for the Nashville West Planned Unit Development district located at Charlotte Pike directly across from West Hillwood Drive and Brook Hollow Road (35.05 acres), zoned SCR, to increase the overall PUD square footage from 508,456 square feet to 521,852 square feet by reconfiguring several of the unbuilt retail, restaurant, and office buildings within the PUD.

Existing Zoning
SCR District

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

PLAN DETAILS

Site Design

The proposed plan increases the overall PUD square footage from 508,456 square feet to 521,852 square feet of retail, restaurant and office uses by reconfiguring and adding several buildings within the PUD. While the layout has changed, it remains consistent with the concept of the preliminary PUD approved by the Metro Council in 2005.

The plan maintains the same access points, including three ingress/egress points on Charlotte Pike and one ingress/egress drive through the neighboring properties to the east leading to Old Hickory Boulevard.

The design does not change the buildings already constructed along the rear of the site backing up to I-40. The changes mostly occur on the outparcels along the Charlotte Pike frontage designated for smaller shops and offices. The plan continues to includes four



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restaurants lining the existing Metro H.G. Hill Park, but also adds a 3,525 square foot retail building between two of the restaurants on the east side of the park. The park is still to be changed from a wooded natural area to a "Park Green" to complement the shopping center. A pedestrian tunnel is proposed under the driveway that runs through the park in order to provide unimpeded pedestrian access within the park.

Twenty-four residential units continue to be part of the plan and are to be located above first floor retail in the three-story building located at the eastern entrance to the site adjacent to Charlotte Pike.

The plan redistributes and adds floor area to the outparcels along Charlotte Pike, and reconfigures the retail shops along the northeast property line. The proposed plan also adds one retail building on the east side of the park.

PUBLIC WORKS RECOMMENDATION

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

Install pedestrian signals and crosswalk markings across Charlotte Pike at the signalized intersections of Charlotte Pike & Brookhollow Road and Charlotte Pike & Nashville West driveway.

STORMWATER MANAGEMENT

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan 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 PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the



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Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.

3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan 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 may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



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|-----------------------------|--|
| Project No. | Planned Unit Development 2005P-023G-02 |
| Project Name | Victory Village PUD (PUD Revision) |
| Associated Cases | None |
| Council District | 03 – Hunt |
| School District | 03 – North |
| Requested By | Dale & Associates, applicant, for The Victory Church, of Nashville, Inc., owner. |
| Staff Reviewer | Leeman |
| Staff Recommendation | <i>Approve with conditions</i> |

APPLICANT REQUEST

| | |
|------------------------|---|
| Preliminary PUD | A request to revise the preliminary plan for the Planned Unit Development, located at 3549 Brick Church Pike and Westchester Drive (unnumbered) (86.41 acres), zoned Multi-Family Residential (RM6) and One and Two Family Residential (R10), to permit a total of 371 dwelling units consisting of 135 single-family lots, 164 townhome units and cottage units, and 36 duplex lots (72 units), where a total of 371 dwelling units were previously approved. |
|------------------------|---|

Existing Zoning

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

| | |
|---------------------|---|
| R10 District | <u>R10</u> 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. |
|---------------------|---|

PARKWOOD-UNION HILL COMMUNITY PLAN POLICY

| | |
|-----------------------------|---|
| Neighborhood General | 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. |
|-----------------------------|---|

| | |
|--------------------------------|---|
| Consistent with Policy? | Yes. The proposed plan provides a mixture of housing types that are carefully arranged to create a complete and diverse neighborhood. |
|--------------------------------|---|



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PLAN DETAILS

Site Design

The proposed plan includes 135 single-family lots, 164 townhomes and cottages, and 36 duplex lots (72 units) with an overall density of 4.3 units per acre. This plan replaces the plan approved by the Planning Commission on September 8, 2005, and Metro Council in January 2006, which included 135 single-family lots, 28 two-family lots (56 units), 155 multi-family units, and an assisted-living facility with 75 beds with a density of approximately 4.3 units per acre, and a community center. The original plan is unbuilt and there have been no final site plans approved in this PUD to date. The proposed plan eliminates the community center that was previously approved in the PUD and the 75 bed assisted-living facility.

Open Space

The proposed plan includes 30.89 acres of open space (36%), including areas of active and passive open space. The plan includes two recreational facilities, as required by Section 17.36.070 of the Zoning Code. This section of the Code requires one recreational facility for the first 99 units and one for each additional 100 units thereafter for the cluster-lot portion of the development, not for the multi-family portion of the development.

Environmental/Greenway

Three streams are located on the property. The proposed plan includes only two stream crossings, while the previously approved plan included three stream crossings. North Fork Ewing Creek, which is located along the eastern property boundary, is designated for a future greenway. The “greenway/conservation easement” is identified on the plan.

Access/Connections

The plan proposes to tie into all seven stub-streets that currently connect to this property, while three new stub-streets to the north are proposed for future connectivity. The previously approved plan provided connections to six of the seven existing stub-streets. As there was a condition in the Council Bill providing an option to connect to the additional stub-street, this change is not considered to be an amendment that requires Metro Council approval..

Connections are provided to Westchester Drive to the east and south, Brookdale Drive, Brookway Drive, and



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Willow Creek Road to the south, Brick Church Pike and Brick Drive to the west.

PUBLIC WORKS RECOMMENDATION

1. 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.
2. Construct a northbound right turn lane on Brick Church Pike at the southern site access road (road 'F') with 100 ft of storage and transitions per AASHTO/MUTCD standards.
3. Construct a northbound right turn lane on Brick Church Pike at the northern site access road (road 'A') with 100 ft of storage and transitions per AASHTO/MUTCD standards.

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

4. Provide and document as part of the construction plans adequate sight distance at the intersections of both site access roads and Brick Church Pike (roads 'A' & 'F'). Provide field run surveys to show that sight distance can be met.
5. Construct and stripe both site access roads at Brick Church Pike with one entering and two exiting lanes (LT and RT) each with 75 ft of storage and transitions per AASHTO/MUTCD standards.

STORMWATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions since the proposed plan is consistent with the Council approved plan in terms of uses, density, connectivity, and since the plan is consistent with the Neighborhood General Policy. The plan creates usable open space, and provides numerous connections to adjacent streets, as well as future connections to the north.



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CONDITIONS

1. All applicable conditions from the previous approval will still apply, unless modified with this revision to the preliminary PUD plan.
2. All off-site traffic conditions, as required by Public Works must be bonded or completed prior to the first final plat or prior to the issuance of building permits for any multi-family development.
3. Prior to or in conjunction with the first PUD final site plan approval, an overall phasing plan must be submitted to the Planning Department.
4. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
5. The requirements of the Metro 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. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
7. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.



Project No.
Project Name

Mandatory Referral 2007M-179U-10
Request to Abandon Right of Way for Alley #236

Council District Requested by

19 – Gilmore
Kennedy Capital Group, LLC

Staff Reviewer
Staff Recommendation

Kleinfelter
Disapprove, but approve if existing parcels are consolidated into a single parcel.

APPLICANT REQUEST

A request to abandon the right-of-way for Alley #236, which runs approximately 145 feet southwesterly from 17th Avenue South to a dead end, located between Broadway and Division Street.

REQUEST DETAILS

The applicant requests that Metro abandon the existing improved right of way for Alley #236, which is approximately 18 feet wide and has a length of approximately 145 feet. The alley runs southwest off 17th Avenue South, between two improved parcels, to a dead end. The applicant states that the request is based on a desire to develop a single building on the parcels along 17th Avenue South, between Broadway and Division Street.

The alley currently provides the only exit from parcels 208 and 210 at the corner of Broadway and 17th Avenue South. The parking lot for those parcels are “in only” off Broadway. The alley also provides the sole access for parcel 212, which has frontage only on 17th Avenue South.

All of the parcels along 17th Avenue South between Broadway and Division Street, plus parcel 208, were recently the subject of an application to apply SP zoning to allow a single building with residential, retail, and restaurant uses. The property owners also sought to cancel the Music Row UDO, which applies to the property. Those applications have been deferred indefinitely by the applicant. The applicant has indicated an intent to proceed with development of the property under the current Core Frame (CF) zoning and in compliance with the requirements of the Music Row UDO.

Abandonment of this alley would be appropriate if and when the parcels served by the alley are consolidated and the property is developed with a single building



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consistent with the Music Row UDO. The property has adequate access to the adjacent streets if it is consolidated and appropriate drives are included in the project consistent with the UDO.

The Metro Council staff has taken the position that an "Approval with Conditions" will act as a simple approval at the Council and any conditions included by the Commission may not be included in the ordinance approved by Council. For this reason, staff recommends that the Commission recommend disapproval of the request to abandon this alley, but include a condition that if the property is consolidated into a single parcel, then the Commission's recommendation would be to approve the alley abandonment. Council staff has indicated that, with this recommendation, the Councilmember could include a condition in the bill to require consolidation of the property before the abandonment would become effective.

DEPARTMENT AND AGENCY COMMENTS

The following departments or agencies have reviewed this request: Public Works, Water Services, Emergency Communications, and the Historic Commission and recommend approval. NES recommends approval with the condition that utility easements within the existing right of way are to be retained.

RECOMMENDATION

Staff recommends **disapproval** of the request to abandon the right of way for Alley #236, but approval if parcels 208, 210, 212, 214, and 215 on property map 092-16 are consolidated into a single parcel.



Project No.
Project Name

Mandatory Referral 2007M-194U-10
Request to Abandon Right of Way for Alley #437

Council Bill
Council District
Requested by

None
19 – Gilmore
H. Ray Ragsdale, property owner.

Staff Reviewer
Staff Recommendation

Kleinfelter
Disapprove

APPLICANT REQUEST

A request to abandon the right-of-way for Alley #437 from 17th Avenue South westward to Alley #442, approximately 145 feet south of Grand Avenue.

REQUEST DETAILS

The applicant requests that Metro abandon the existing unimproved right of way for Alley #437, which is approximately 10 feet wide and has a length of approximately 160 feet. The alley runs west off 17th Avenue South, behind two parcels that front on Grand Avenue, to Alley #442. The applicant states that the request is based on the current non-use of the existing right of way.

The current alley system provides the opportunity for the lot on the southwest corner of 17th Avenue South and Grand Avenue to have access via Alley #442 onto Grand Avenue for traffic destined west, north or east. Without Alley #437, such movements would require driveway access onto Grand Avenue or vehicles would be required to go south on 17th Avenue South, which is a one way street. Alley #442 is further from the intersection of Grand Avenue and 17th Avenue South, which is preferable to driveways closer to this intersection.

Abandonment of this alley may be appropriate if and when the parcels served by the alley are consolidated and the property is developed with a single building that provides access to the adjacent streets. Staff recommends disapproval of the alley abandonment request at this time, but the request could be readdressed if alternative access is proved as part of redevelopment of the property.

DEPARTMENT AND AGENCY COMMENTS

The following departments or agencies have reviewed this request: Water Services, Emergency Communications Center, NES, and the Historical



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Commission and recommend approval. Metro Public Works recommends disapproval because the alley is needed for traffic circulation.

RECOMMENDATION

Staff recommends disapproval of the request to abandon the right of way for Alley #437 as premature at this time.