



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201

**Minutes
Of the
Metropolitan Planning Commission**

January 10, 2008

4:00 PM

*Metro Southeast at Genesco Park
1417 Murfreesboro Road*

PLANNING COMMISSION:

James McLean, Chairman
Phil Ponder, Vice Chairman
Stewart Clifton
Tonya Jones
Ann Nielson
Victor Tyler
Councilmember Jim Gotto
Andrée LeQuire, representing Mayor Karl Dean

Staff Present:

Rick Bernhardt, Executive Director
David Kleinfelter, Planning Mgr. II
Ted Morrissey, Legal Counsel
Jason Swaggart, Planner I
Bob Leeman, Planner III
Trish Brooks, Admin. Svcs Officer 3
Carrie Logan, Planner I
Craig Owensby, Communications Officer
Brenda Bernards, Planner III
Nedra Jones, Planner II
Brian Sexton, Planner I
Greg Johnson, Planner I
Steve Mishu, Water Services
Jonathan Honeycutt, Public Works

Commission Members Absent:

Derrick Dalton
Judy Cummings

I. CALL TO ORDER

The meeting was called to order at 4:07 p.m.

II. ADOPTION OF AGENDA

Mr. Kleinfelter announced there were no changes to the agenda.

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously, to adopt the agenda as presented. **(6-0)**

III. RECOGNITION OF COUNCILMEMBERS

Councilwoman Page briefly summarized the process for Item #10, 2007SP-176U-11, Southerest Clinic to her constituents. She also explained to the Commission that there were residents at the meeting who had concerns regarding the proposal. She thanked the Planning staff for their assistance as well as the Commission for their help in protecting District 16.

1/30/2008 8:26:09 AM

Councilman Claiborne stated that he would address the Commission after his item was presented for discussion.

Councilwoman Gilmore stated she would address the Commission once her item was presented for discussion.

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

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 PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

1. 2007Z-167U-08 A request to apply the historic overlay district to 548 properties in Germantown bounded by Rosa Parks Boulevard, Jefferson Street, Hume Street, and 2nd Avenue North (92.04 acres), zoned R6, SP, OR20, MUN, MUG, CS, CF, and IR and within the Phillips-Jackson Redevelopment District – deferred to February 28, 2008
2. 2007S-309U-13 A request to revise a previously approved preliminary plat to create 70 single-family cluster lots and 9 two-family lots where 83 single-family cluster lots were previously approved on property located at 3222 Anderson Road and Brantley Drive (unnumbered), between the end of Louise Russell Drive and the west side of Anderson Road (30.04 acres), zoned RS10 and R10 – deferred to January 24, 2008, as requested by Councilwoman Wilhoite. The applicant did not object to the deferral.

Mr. Bernhardt briefly summarized the staff recommendation of deferral on Item #1, 2007Z-167U-08, Germantown Historic District. He stated that staff has met with both sides of property owners in this area who were either for or against the overlay. He explained the issue of the conditions included in the overlay and how they relate to the Germantown Detailed Neighborhood Design Plan (DNDP). He announced a possible meeting that would be held on February 6, 2008, in which both parties could attend in order to better understand the conditions of both the overlay and the Detailed Neighborhood Design Plan. He also stated that the Council deferred this item until the March public hearing which would allow additional time for clarifications on the proposal.

Ms. Nielson moved and Mr. Gotto seconded the motion, to approve the deferred and withdrawn items, except Item #1, 2007Z-167U-08. **(6-0)**

Ms. LeQuire abstained from voting on Item #1. **(5-0-1)**

Councilwoman Gilmore requested additional clarification regarding the deferral of Item #1, 2007Z-167U-08, Germantown Historic District.

Mr. Bernhardt explained the recommendation to defer.

V. PUBLIC HEARING: CONSENT AGENDA ZONING MAP AMENDMENTS

3. 2008Z-001G-04 A request to rezone from RS20 to CS district property located at 335 Boyd's Hilltop Drive, abutting the east margin of I-65 and north of Old Hickory Boulevard (1.06 acres), - Disapprove, but approve if ordinance is amended to an SP or a PUD Overlay is also adopted to allow only the specific accessory uses needed by the church.

- | | | | |
|----|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 4. | 2008Z-002U-13 | A request to rezone approximately 1.53 acres from RM9 to MUL a portion of property located at Bell Road (unnumbered), approximately 465 feet north of Bell Forge Lane, and also located within the Ridgeview Urban Design Overlay district | -Disapprove |
| 5. | 2008Z-004T | Vehicle Rental and Leasing - Request to amend the Metro Zoning Code, Section 17.08.030 (District Land Use Table) to permit by right countywide in the shopping center regional (SCR) zoning district the rental or leasing of automobiles, motorcycles, recreational vehicles, boats, recreational equipment, and light trucks and vans, including incidental parking and servicing of vehicles for rent or lease” (e.g. rental car agencies). | - Approve w/amendment |
| 6. | 2008Z-007G-04 | Request to change from R10 to CS zoning right-of-way belonging to the state of Tennessee located on the east side of Liberty Lane. | - Approve |
| 8. | 2008P-001U-05 | The Family Wash PUD - Request for preliminary and final site plan approval for a proposed Planned Unit Development located at 2038 Greenwood Avenue, to permit the existing restaurant of approximately 4,000 square feet, an exemption from the minimum distance requirements included in the beer provisions of the Metro Code. | - Approve w/conditions |

SPECIFIC PLAN ZONING DISTRICTS

- | | | | |
|----|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 9. | 2006SP-159U-03 | Fern Avenue Lofts: Amendment #1 - Request to amend the previously approved Fern Avenue Lofts Specific Plan for properties located at 1206 Brick Church Pike and 40 Evergreen Avenue, by adding .19 acres of land located at 1204 Brick Church Pike and zoned CS to existing SP so as to construct 65 multi-family dwelling units where 45 were previously approved on two properties. | - Approve w/conditions |
|----|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|

CONCEPT PLANS

- | | | | |
|-----|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 13. | 2008S-014G-12 | A request to revise a previously approved preliminary plat to create 153 clustered lots where 151 lots were previously approved on properties located at 6943 and 6947 Burkitt Road and Burkitt Road (unnumbered), approximately 4,200 feet east of Nolensville Pike (46.63 acres), zoned RS10 | |
|-----|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

FINAL PLATS

- | | | | |
|-----|---------------|--------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 14. | 2008S-006G-06 | Steven Mathers Subdivision - Request for final plat approval to create 3 lots on property located at 8273 Old Pond Creek Road. | - Approve w/conditions |
|-----|---------------|--------------------------------------------------------------------------------------------------------------------------------|------------------------|

REVISIONS AND FINAL SITE PLANS PLANNED UNIT DEVELOPMENTS

- | | | | |
|-----|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 15. | 117-83-U-14 | Music City Outlet Center PUD (Holiday Inn Express) - Request to revise a portion of the preliminary plan and for final approval of the Music City Outlet Center Planned Unit Development located at McGavock Pike (unnumbered), to permit the development of a 5-story, 113-room, 70,784 square foot hotel where an 87,375 square foot hotel was previously approved. | - Approve w/conditions |
|-----|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|

OTHER BUSINESS

- | | | |
|-----|------------------------------------------------|-----------|
| 16. | House move application fee adjustment. | - Approve |
| 17. | An amended employee contract for Anita McCaig. | - Approve |

Ms. Nielson moved and Mr. Ponder seconded the motion, which passed unanimously, to approve the Consent Agenda as presented. (6-0)

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

ZONING MAP AMENDMENTS

- 1. 2007Z-167U-08**
Germantown Historic District
Map Various, Parcels Various
Subarea 8 (2002)
Council District 19 - Erica S. Gilmore

A request to apply the historic overlay district to 548 properties in Germantown bounded by Rosa Parks Boulevard, Jefferson Street, Hume Street, and 2nd Avenue North (92.04 acres), zoned R6, SP, OR20, MUN, MUG, CS, CF, and IR and within the Phillips-Jackson Redevelopment District, requested by Councilmember Erica Gilmore, for various owners.

STAFF RECOMMENDATION: Approve, including a condition that the proposed design guidelines applied by the Historic Zoning Commission be revised to incorporate the standards of the Germantown Detailed Neighborhood Design Plan.

The Metropolitan Planning Commission DEFERRED Zone Change 2007Z-167U-08 to February 28, 2008, at the request of the applicant. (5-0-1)

CONCEPT PLANS

- 2. 2007S-309U-13**
The Parks at Priest Lake (Prelim. Revision)
Map150-00, Parcels 017, 246
Subarea 13 (2003)
Council District 29 - Vivian Wilhoite

A request to revise a previously approved preliminary plat to create 70 single-family cluster lots and 9 two-family lots where 83 single-family cluster lots were previously approved on property located at 3222 Anderson Road and Brantley Drive (unnumbered), between the end of Louise Russell Drive and the west side of Anderson Road (30.04 acres), zoned RS10 and R10, requested by Umbrella Investment Corporation, owner, Dale & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

The Metropolitan Planning Commission DEFERRED Concept Plan 2007S-309U-13 to January 24, 2008, at the request of the Councilwoman, and the applicant did not object to the deferral. (6-0)

VII. PUBLIC HEARING: ZONING MAP AMENDMENTS

- 3. 2008Z-001G-04**
Map 042-00, Parcel 013
Subarea 4 (1998)
Council District 4 - Michael Craddock

A request to rezone from RS20 to CS district property located at 335 Boyd's Hilltop Drive, abutting the east margin of I-65 and north of Old Hickory Boulevard (1.06 acres), requested by Cornerstone Church, owner.

STAFF RECOMMENDATION: Disapprove, but approve if ordinance is amended to an SP to allow only the specific accessory uses needed by the church.

APPLICANT REQUEST - A request to change 1.06 acres from Single-Family Residential (RS20) to Commercial Service (CS) zoning for property located at 335 Boyd's Hilltop Drive, abutting the east margin of I-65 and north of Old Hickory Boulevard.

Existing Zoning

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

Proposed Zoning

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

MADISON COMMUNITY PLAN

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

Consistent with Policy? No. The uses allowed in the Commercial Service district would be incompatible with the Residential Low policy. Areas designated RL are suitable for residential development, civic activities, and low-rise public benefit uses. The uses surrounding this site are predominantly residential with some civic uses in proximity. Policies that support commercial development are concentrated east toward the intersection of Gallatin Pike and Old Hickory Boulevard. Sites near this intersection could support greater development intensities that are permitted within the CS zoning district.

The applicant has indicated that this rezoning is being requested to allow the church to construct a storage facility. If the storage facility was located on the same parcel as the church, it could be permitted as an accessory to the church use as a special exception under the existing RS20 zoning. Because the parcel is separate, however, the storage facility would be a primary use, which requires rezoning of the property.

Staff does not recommend approval of the requested CS zoning because that zoning would permit many uses that are not consistent with the land use policy or the adjacent residential Planned Unit Development. Specific Plan zoning or the addition of a Planned Unit Development that limits the uses on the property to an accessory storage facility for the church could be recommended by staff for approval.

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

Typical Uses in Existing Zoning District: RS20

Land Use (ITE Code)	Acres	Density	TotalLots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	1.06	1.85	1	10	1	2

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center(814)	1.06	0.35	16,161	729	21	61

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
--				+719	+11	+59

Maximum Uses in Existing Zoning District: RS20

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	1.06	1.85	1	10	1	2

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center(814)	1.06	0.6	27,704	1223	30	88

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
--				1213	+29	+86

STAFF RECOMMENDATION Staff recommends disapproval of the request to rezone 1.06 acres from RS20 to CS. The uses permitted in the Commercial Service district, such as billboards would be incompatible with the low density residential uses in the surrounding area, and the development intensities encouraged by RL policy. Staff could recommend approval, however, of an SP district or CS zoning with a PUD overlay to limit the specific uses to meet the accessory needs of the church.

Approved, (6-0) *Consent Agenda*

Resolution No. BL2008-1

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008Z-001G-04 is **DISAPPROVED, BUT APPROVED IF ORDINANCE IS AMENDED TO AN SP OR A PUD OVERLAY IS ALSO ADOPTED TO ALLOW ONLY THE SPECIFIC ACCESSORY USES NEEDED BY THIS CHURCH.** (6-0)

The proposed CS zoning districts is not consistent with the Madison Community Plan’s Residential Low policy, which is intended for residential development with a density between one and two dwelling units per acre.”

- 2008Z-002U-13**
Map 163-00, Part of Parcel 122
Subarea 13 (2003)
Council District 33 - Robert Duvall

A request to rezone approximately 1.53 acres from RM9 to MUL a portion of property located at Bell Road (unnumbered), approximately 465 feet north of Bell Forge Lane, and also located within the Ridgeview Urban Design Overlay district, requested by Dale & Associates, applicant, for Ridgeview Homes LLC. (See also PUD Proposal No. 2007P-005U-13 and UDO Proposal No.

STAFF RECOMMENDATION: Disapprove.

APPLICANT REQUEST - A request to rezone approximately 1.53 acres from RM9 to MUL a portion of property located at Bell Road (unnumbered), approximately 465 feet north of Bell Forge Lane, and also located within the Ridgeview Urban Design Overlay district, (PUD Proposal No. 2007P-005U-13 and UDO Proposal No. 2003UD-

003U-13).

Existing Zoning

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

Proposed Zoning

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

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. While the proposed MUL zoning district would allow for uses consistent with the area’s policy, the request is associated with a proposed Planned Unit Development (PUD) that is not consistent with the area’s CG policy. To ensure that new development will meet the intent of the policy, the Land Use Policy Application requires that any zone change be accompanied by a Specific Plan (SP), Urban Design Overlay (UDO), or PUD. The associated PUD calls for only commercial uses, and is *not* consistent with the generally residential CG policy. The property to be rezoned is located within the Ridgeview UDO which is proposed to be canceled for this area. The proposed PUD plan to replace the UDO is *not* consistent with the adopted UDO. The request to cancel the UDO and to replace it with a PUD were disapproved by the Planning Commission on November 8, 2007.

PUBLIC WORKS RECOMMENDATION - A TIS may be required at development.

Maximum Uses in Existing Zoning District: RM9

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	1.53	9	14	121	11	12

Maximum Uses in Proposed Zoning District: MUL with PUD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	1.53	N/A	40,411 sq. ft.*	1767	40	119

*Based on the square footage proposed in the PUD on the property to be rezoned and the adjacent property already zoned MUL.

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
--				1646	+29	+107

STAFF RECOMMENDATION Staff recommends that the request be disapproved since the required PUD plan associated with this zone change is not consistent with the CG land use policy.

Disapproved, (6-0) *Consent Agenda*

Resolution No. BL2008-2

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008Z-002U-13 is **DISAPPROVED. (6-0)**

While the proposed MUL district would allow for uses called for in the Antioch/Priest Lake Community Plan’s Corridor General policy, the associated PUD plan is not consistent with the policy. Corridor General is intended for a variety of residential, larger scale civic and public benefit activities.”

5. 2008Z-004T
Vehicle Rental and Leasing

A request to amend the Metro Zoning Code, Section 17.08.030 (District Land Use Table) to permit by right countywide in the shopping center regional (SCR) zoning district the rental or leasing of automobiles, motorcycles, recreational vehicles, boats, recreational equipment, and light trucks and vans, including incidental parking and servicing of vehicles for rent or lease” (e.g. rental car agencies), requested by Councilmember Parker Toler.

STAFF RECOMMENDATION: Approve with amendment.

APPLICANT REQUEST - A request to amend the Metro Zoning Code, Section 17.08.030 (District Land Use Table) to permit by right countywide in the shopping center regional (SCR) zoning district the rental or leasing of automobiles, motorcycles, recreational vehicles, boats, recreational equipment, and light trucks and vans, including incidental parking and servicing of vehicles for rent or lease (e.g. car rental agencies).

ANALYSIS

Existing Law - Section 17.08.030 of the Zoning Code allows vehicular rental/leasing within a Specific Plan (SP) district, as provided in council bill BL2006-972 (2006Z-029T) and within all of the industrial districts.

“Vehicular rental/leasing” permits the renting or leasing of automobiles, motorcycles, recreational vehicles, boats, recreational equipment, light trucks and vans, moving vans, and moving trucks, including incidental parking and servicing of such vehicles. No “Automobile Repair” or “Scrap Operation” activities are permitted, and no inoperable vehicles can be stored on-site.

Proposed Bill The proposed bill would permit by right vehicular rental/leasing in the Shopping Center Regional (SCR) district as well as the industrial districts.

Analysis The SCR district is described in Section 17.08.020 of the Zoning Code as a district intended for very large, regional shopping and activity centers such as Bellevue Mall, Green Hills Mall, Rivergate Mall, Hickory Hollow Mall, Nashville West, Hill Center at Green Hills, and the Bellevue West Shopping Center. It also is a zoning district applied to large-scale shopping centers at major intersections such as Nolensville Pike/Old Hickory, I-65/Old Hickory, and Nolensville Pike/Harding Place.

Within Metro, there are 399 parcels zoned SCR encompassing 1,362 acres of land; 61% of these parcels are located in 36 planned unit developments (PUD). See table below.

SCR Zoning

Parcels	399
Acres	1,362
SCR & within PUD overlay	61% (36 PUDs)
USD	approx. 60%
GSD	approx. 40%
Council Districts	13 districts
4 (Craddock), 10 (Ryman), 11 (Gotto), 14 (Stanley), 20 (Baker), 22 (Crafton), 25 (McGuire), 26 (Adkins), 27 (Foster), 31 (Toler), 32 (Coleman), 33 (Duvall), 35 (Mitchell)	

For those properties located in a PUD, the Zoning Code stipulates that the base zoning or the last Council adopted 011008Minutes

PUD plan would determine whether a vehicular rental/leasing use is allowed. If the PUD plan does not specifically indicate such a use is allowed, or the base zoning does not permit the vehicular rental/leasing use, then a rezoning and PUD amendment would be required. If the Council approved plan did not include the vehicular rental/leasing use and the base zoning does permit the use, then the Planning Commission would determine if the use “..alter(s) the basic development concept of the PUD.” If the Commission determines that the proposed plan alters the development concept, then the change is referred back to the Metro Council. If the Commission determines that it does not alter the basic development concept, then vehicular rental/leasing likely would be permitted as a revision to the PUD.

Given the nature of these regional activity and shopping centers, locating an auto rental or leasing company would be convenient for area residents. Yet, since this use incorporates such a wide variety of vehicles, staff recommends limiting the types of vehicles available for rental or leasing as set forth below.

Amend Section 17.16.070.P (Uses Permitted w/ Conditions: Commercial Uses)

Vehicular Rental/Leasing: This use shall be allowed *in the SCR district* or as provided in an adopted Specific Plan district by the Metro Council. *In the SCR district, the use shall be limited to renting and/or leasing passenger automobiles and light trucks (rated at not more than 9,000 lbs. gross vehicle weight), including incidental parking and servicing of these vehicles for rental or lease. No motorcycle, recreational vehicles, boats, recreational equipment, moving vans or moving trucks shall be rented or leased from the property. In addition, no “Automobile Repair” or “Scrap Operation” activities may occur on-site and no abandoned vehicles shall be stored on the property.*

STAFF RECOMMENDATION - Staff recommends this text amendment be approved with the amendment described above. The heavier, bulkier, and larger vehicles such as RVs, boats, and moving trucks would be more appropriate in a SP or an industrial district (IWD, IR, or IG).

Approved with amendment, (6-0) **Consent Agenda**

Resolution No. BL2008-3

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008Z-004T is **APPROVED WITH AMENDMENT. (6-0)**”

6. **2008Z-007G-04**
Map 026-00, Parcel 053 (Adjacent To)
Subarea 4 (1998)
Council District 10 - Rip Ryman

A request to change from R10 to CS zoning right-of-way belonging to the state of Tennessee located on the east side of Liberty Lane, south of Vietnam Veterans Boulevard (0.67 acres), requested by Waller, Lansden, Dortch & Davis, LLP, applicant, State of Tennessee, owner.

STAFF RECOMMENDATION: Approve.

APPLICANT REQUEST - A request to change from One and Two-Family Residential (R10) to Commercial Service (CS) zoning 0.67 acres of right-of-way belonging to the State of Tennessee located on the east side of Liberty Lane, south of Vietnam Veterans Boulevard.

The rezoning request is for surplus right-of-way. The property will need to be platted before any permits can be issued.

Existing Zoning

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

Proposed Zoning

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

MADISON COMMUNITY PLAN

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

Consistent with Policy? Yes. Commercial Service zoning is consistent with Retail Concentration Super Community policy. The proposed zoning is also consistent with the surrounding zoning pattern, which is predominantly zoned CS on the south side of Vietnam Veterans Boulevard.

RECENT REZONINGS - The three lots to the south of this request were rezoned from R10 to CS in 2004.

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

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Lot	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	0.67	3.7	2	20	2	3

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.67	0.299	8,726	411	15	43

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
--				+391	+13	+40

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Lot	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	0.67	3.7	2	20	2	3

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station with Convenience Market (945)	0.67	0.6	17,511	NA	1360	1688

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
--					+1358	+1685

STAFF RECOMMENDATION -Staff recommends approval. The request is consistent with policy.

Approved with conditions, **(6-0) Consent Agenda**

Resolution No. BL2008-4

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008Z-007G-04 is **APPROVED. (6-0)**

The proposed CS district is consistent with the Madison Community Plan’s Retail Concentration Super Community policy, which is intended for large size retail uses such as retail shops, consumer services, restaurants, and entertainment.”

7. 5-73-G-14

Music Valley PUD (Amendment: Lot 4)
Map 062-00, Parcel 169
Subarea 14 (2004)
Council District 15 - Phil Claiborne

A request to amend a portion of the Music Valley Planned Unit Development located at 2506 Music Valley Drive, approximately 2,500 feet north of McGavock Pike, zoned CA, (2.19 acres), to permit the development of a 3-story, 52,500 square foot hotel, replacing a 12,000 square foot restaurant, requested by EDGE, applicant, for William and Dorothy Oakes, Trustees, owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Amend PUD

A request to amend a portion of the Music Valley Planned Unit Development located at 2506 Music Valley Drive, approximately 2,500 feet north of McGavock Pike, zoned Commercial Attraction (CA), (2.19 acres), to permit the development of a 3-story, 52,500 square foot hotel, replacing a 12,000 square foot restaurant.

PLAN DETAILS

Site Plan The site plan proposes a three-story hotel consisting of 92 rooms within 52,500 square feet. The hotel is situated on the site to front Music City Circle and has a proposed building height of 45 feet.

Access/Parking The property has direct access to Music City Circle, which is a private driveway that intersects Music Valley Drive to the east. A 25 foot ingress/egress easement is provided along the northern property line because the property line extends to the center line of Music City Circle. Two curb cuts are provided off of Music City Circle. A total of 97 parking spaces are planned with five spaces reserved for handicap parking.

Sidewalks The Metro Zoning Ordinance requires that non-residential developments along collector or arterial streets incorporate pedestrian sidewalk connections to facilitate safe and convenient pedestrian movements for residents, employees and/or patrons of such developments, and to reduce dependency on the automobile. This property has frontage along Music Valley Drive, which is classified as a collector street and, therefore, requires sidewalks. A walkway is also required along Music City Circle as per Section 17.20.120 of the Zoning Ordinance. Music City Circle is currently classified as a private drive, but is planned to become a public road in the near future, as such, it is desirable to begin planning for pedestrian activity along this road as well. The site plan does not propose a sidewalk at either location; however, sidewalks are required as a condition of approval.

Landscaping The plan proposes landscaping around the perimeter of the site and interior to the parking the lot. A total of 20 trees are planned which complies with the minimum tree density requirements.

Preliminary Plan The preliminary PUD was approved in 1990, for a total of 268,125 square feet comprised of three motels, two restaurants and a museum/gift shop. The PUD was amended in 1995, to permit the development of 192,930 square feet of motels and restaurant facilities.

Section 17.40.120.G.2.h stipulates that the total floor area of a commercial or industrial classification of a PUD shall not be increased more than ten percent beyond the total floor area last approved by the council. The PUD, as amended in 1995, permitted only 192,930 square feet of commercial uses. Increasing the square footage on this parcel from 12,000 square feet to 52,500 square feet increases the floor area more than 10% of what was last approved by Council, which requires an amendment.

Amending the PUD to allow a 52,500 square foot hotel is compatible with the surrounding land uses and consistent with the Commercial Mixed Concentration land use policy designated by the Donelson-Hermitage Community Plan. Land uses found in CMC policy areas include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

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. All work within the existing right of way requires an excavation permit and compliance with the design standards of the Department of Public Works.
3. Align proposed driveways with the existing driveways on Music City Circle (lot #5).

STORMWATER RECOMMENDATION Approved

STAFF RECOMMENDATION Staff recommends approval with conditions of the PUD amendment to permit a 52,500 square foot hotel.

CONDITIONS

1. The PUD final site plan shall include a sidewalk along the property frontage on Music Valley Drive, and Music City Circle.
2. The PUD final site plan shall include walkway 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.
5. 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.

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

Mr. Leo O'Bryan, spoke in opposition to the proposed development.

Mr. Clifton arrived at 4:28 p.m.

Mr. Shantu Hari, 201 Music City Circle, expressed concerns regarding the development.

Mr. John Haas, Edge Planning Architect & Design, spoke in favor of the proposed development.

Ms. Laura Lawrence, 220 Rudy's Circle, spoke in opposition of the proposed development.

Ms. Jones arrived at 4:31 p.m.

Mr. Gotto requested further clarification regarding the total square footage of the proposal in relation to the current zoning regulations and its requirements.

Ms. Nedra Jones explained the current zoning regulations and its requirements to the Commission.

Mr. Gotto then questioned the approximate building size that could be constructed on the property that would not require an amendment to the planned unit development.

Mr. Kleinfelter explained the answer would require a great deal of math. He then briefly explained the basis for the amendment for this PUD.

Ms. LeQuire requested additional information on whether a hotel had been previously rejected for this site; and if it were rejected, did the Planning Commission disapprove the request.

Ms. Nedra Jones explained there were no records of hotel plans submitted, nor rejected by the Planning Commission for this site.

Mr. Gotto then questioned whether there was a history of agreements, deed restrictions, etc., between individual property owners within this PUD.

Ms. Nedra Jones offered that after speaking with the Councilmember for this area, he had mentioned that he was informed of a possible deed restriction among property owners within this PUD. She further added that Councilman Claiborne was told verbally of the restriction and did not actually receive a copy of the actual deed itself. She also added that this information was not submitted to the staff nor should it have been; as the staff has no jurisdiction over deed restrictions.

Mr. Gotto requested that Councilman Claiborne be allowed to address this question for the Commission.

Councilman Clairborne explained his meeting with property owners of this planned unit development. He verified that the property owners did have some sort of deed restrictions for this PUD. He received a copy of the restrictions and submitted it to Metro Legal for review. Upon legal review, he offered that he had been advised that the owner of the two parcels in question had no restrictions placed on the development of that land. He did however, acknowledge the concern of over abundant of hotels in this area and the need for additional eating establishments.

Mr. Gotto offered that if the proposal does move forward in Council, that the owner as well as the other property owners in this development should further explore the possibility of placing additional restaurants in the area.

Mr. Gotto move and Mr. Ponder seconded the motion, to approve with conditions the amending a portion of the Music Valley Planned Unit Development, 5-73-G-14. **(6-0-2) Clifton and Jones abstained from the vote due to not hearing the entire proposal**

Resolution No. BL2008-5

"BE IT RESOLVED by The Metropolitan Planning Commission that 5-73-G-14 is **APPROVED WITH CONDITIONS. (6-0-2)**

Conditions of Approval:

1. The PUD final site plan shall include a sidewalk along the property frontage on Music Valley Drive, and Music City Circle.
2. The PUD final site plan shall include walkway 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.
5. 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.

The proposed PUD amendment to permit the development of a 52,500 square foot hotel, is consistent with the original PUD concept, and the area's Commercial Mixed Concentration policy, and is compatible with surrounding land uses."

8. **2008P-001U-05**
 The Family Wash PUD
 Map 083-03, Parcel 064
 Subarea 5 (2006)
 Council District 6 - Mike Jameson

A request for preliminary and final site plan approval for a proposed Planned Unit Development located at 2038 Greenwood Avenue, zoned CN and located within the Eastwood Neighborhood Conservation Overlay (0.37 acres), to permit the existing restaurant of approximately 4,000 square feet, an exemption from the minimum distance requirements included in the beer provisions of the Metro Code, requested by Susan Barbera, applicant, for Elena Rivas and Maria Calderon, owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Preliminary & PUD Final Site Plan

A request for preliminary and final site plan approval for a proposed Planned Unit Development located at 2038 Greenwood Avenue, zoned Commercial Neighborhood (CN) and located within the Eastwood Neighborhood Conservation Overlay (0.37 acres), to permit the existing restaurant of approximately 4,000 square feet, an exemption from the minimum distance requirements included in the beer provisions of the Metro Code.

Reason for Request - Per Metro Ordinance BL2003-1353, restaurants/bars that have obtained a license from the Tennessee Alcoholic Beverage Commission permitting the sale of alcoholic beverages for on-premises consumption will be exempt from the minimum distance requirements for the issuance of beer permits if a commercial PUD is established over the subject property.

Existing Zoning

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

A full-service restaurant is a permitted with conditions within the CN district. The relevant condition is that each establishment shall be limited to five thousand square feet of gross floor area.

Plan Details The plan shows an existing building of approximately 4,000 square feet currently used for a restaurant on the southwest corner of Greenwood Avenue and Porter Road.

PUBLIC WORKS RECOMMENDATION No Exception Taken

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.

STAFF RECOMMENDATION Staff recommends conditional approval of the request to establish a PUD on the property currently zoned CN district. The property is located within the East Nashville Community Plan which identifies this property as within a Neighborhood Center.

Staff recommends conditional approval of the proposed plan since the plan, recognized as an existing facility, meets the bulk standards of the CN base zoning district.

CONDITIONS

1. 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.
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.
3. 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.
4. 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.

Approved with conditions, **(6-0) Consent Agenda**

Resolution No. BL2008-6

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008P-001U-05 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. 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.
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.
3. 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.
4. 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.

The proposed PUD to permit an existing restaurant an exemption from the minimum distance requirements included in the beer provisions of the Metro Code is not inconsistent with the area's Neighborhood Center policy, and the site plan meets all bulk standards for the property's CN base zoning district."

VIII. PUBLIC HEARING: SPECIFIC PLAN ZONING DISTRICTS

- 9. 2006SP-159U-03**
Fern Avenue Lofts: Amendment #1
Map 071-14, Parcels 029, 031, 059
Subarea 3 (2003)
Council District 2 - Frank R. Harrison

A request to amend the previously approved Fern Avenue Lofts Specific Plan for properties located at 1206 Brick Church Pike and 40 Evergreen Avenue, at the southwest corner of Brick Church Pike and Fern Avenue (1.26 acres), by adding .19 acres of land located at 1204 Brick Church Pike and zoned CS to existing SP so as to construct 65 multi-family dwelling units where 45 were previously approved on two properties, requested by Dale & Associates, applicant, for Nashville Ovation,

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Amend Preliminary SP

A request to amend the previously approved Fern Avenue Lofts Specific Plan for properties located at 1206 Brick Church Pike and 40 Evergreen Avenue, at the southwest corner of Brick Church Pike and Fern Avenue (1.26 acres), by adding and changing .19 acres of land located at 1204 Brick Church Pike and zoned Commercial Service (CS) to Specific Plan-Residential (SP-R) to allow 64 multi-family dwelling units on three properties, where 45 were previously approved on two properties.

Existing Zoning

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

Proposed Zoning

SP-R District - Specific Plan-Residential is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

BORDEAUX/WHITES CREEK COMMUNITY PLAN

Community Center (CC) CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An 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. This property sits at the intersection of Fern Avenue and Brick Church Pike, near Interstate 65. The property proposed for rezoning is in the middle of an area zoned commercial and near the edge of a residential neighborhood. The multi-family development will serve as a transition and a buffer between these two uses.

PLAN DETAILS

Site Plan The plan proposes 64 multi-family units in a 4-story building. The development crosses an unbuilt alley right-of-way that will need to be abandoned prior to final plat recordation. Additionally, the property fronts on an unbuilt street, Evergreen Avenue, which will be constructed with this development.

The building wraps around the Brick Church Pike, Fern Avenue and Evergreen Avenue street edges of the property, while parking is located within a proposed parking structure within the building. The buildings have a strong presence on the street and sidewalks are proposed on all three block faces. The combination of these two elements will help create a pedestrian friendly environment at this location. A small courtyard is located inside the site to provide a usable open space area for the residents.

Ninety-five parking spaces are included, which meets the requirements of the Metro Zoning Ordinance. The majority of the parking spaces are located in the garage in the first floor of the building. The garage level of the building will be below grade for half of the elevation. The access to the parking is proposed to be gated, but pedestrians will be able to access the units from Fern Avenue.

Architectural elevations were only submitted for the Fern Avenue and Brick Church Pike frontages. All elevations must be submitted for review with the SP final site plan. The elevations indicate the materials will be split face block, brick and synthetic stucco.

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.

- Identify Alley #2007. Alley to be abandoned in its entirety.
- Construct Evergreen Avenue along property frontage, per the standards and specifications of the Department of Public Works.
- Identify plans for recycling collection. Coordinate solid waste collection and disposal plan with the Department of Public Works Solid Waste Division. Provide a twenty five (25') foot minimum overhead clearance.
- Along Fern Avenue, construct a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways.
- Along Brick Church Pike, construct a five (5') foot furnishing zone and six (6') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways.
- Provide documentation of adequate sight distance at project access locations, and at the intersection of Brick Church Pike and Fern Avenue resulting from the proposed development.
- On-street parking is currently prohibited along Fern Avenue. Changes to such will require approval of the Metro Traffic and Parking Commission at the time of development.

Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	1.26	36	45	326	28	32

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	1.26	52	65	446	37	43

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
--			+20	+120	+9	+11

STORMWATER RECOMMENDATION Preliminary SP Approved Except as Noted:

- Access Note:
(Metro Water Services shall be provided sufficient and unencumbered access in order to maintain and repair utilities in this site.)
- C/D Note:
(Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)

NASHVILLE ELECTRIC SERVICE RECOMMENDATION

1. Developer to provide high voltage layout for underground conduit system and proposed transformer locations for NES review and approval
2. Developer to provide construction drawings and a digital .dwg file @ state plane coordinates that contains the civil site information (after approval by Metro Planning)
3. NES can meet with developer/engineer upon request to determine electrical service options
4. NES needs any drawings that will cover any road improvements to any of the public r-o-w's that Metro PW might require
5. Developer should work with Metro PW on street lighting required future location(s) due to Metro's requirements
6. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules
7. NES needs load information asap for each different lot type and size. (NES required to determine load capacity)
8. In addition to a conditional approval of this plan to providing NES with a site electrical plan that will meet NES requirements, it appears that some relocation of the 3-phase 23.9 kV high voltage lines that are located on this site's side of the road (see attached map).
9. NES must require the developer meet with NES to plan for relocations and/or easements to provide the necessary clearances to meet the National Electrical Safety Code and any OSHA clearances during construction.

METRO SCHOOL BOARD REPORT

Projected student generation 14 Elementary 10 Middle 12 High

Schools Over/Under Capacity Students would attend Alex Green Elementary School, Ewing Park Middle School, or Whites Creek High School. None of these schools have been identified as being over capacity by the Metro School Board.

STAFF RECOMMENDATION Staff recommends approval with conditions. The development meets the policy and serves as a transition between the residential neighborhood and commercial area.

CONDITIONS

1. The backflow preventer must be located within the building, as indicated on the plans.
2. Add a B-5 buffer along the southern property line. In areas where the retaining wall is approximately 5' from the property line, include landscaping similar to that currently shown on the plan.
3. Show correct density on cover sheet of plan.
4. Show access to the stair towers on the plan.
5. A final consolidation plat must be recorded prior to the issuance of any building permit.

6. All elevations must be submitted for review with the SP final site plan.
7. The Fern Avenue elevation must be revised with the SP final site plan submittal to depict a flat parapet, smaller pedestrian entrance, and enclosed stairwells between the blocks of units.
8. The final SP site plan shall include a site utility electrical plan that satisfies NES and Planning Department requirements.
9. This SP is limited to multi-family residential use.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning district as of the date of the applicable request or application.
11. 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.
12. 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 conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
13. 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.

Approved with conditions, **(6-0) Consent Agenda**

Resolution No. BL2008-7

“BE IT RESOLVED by The Metropolitan Planning Commission that 2006SP-159U-03 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. The backflow preventer must be located within the building, as indicated on the plans.
2. Add a B-5 buffer along the southern property line. In areas where the retaining wall is approximately 5' from the property line, include landscaping similar to that currently shown on the plan.
3. Show correct density on cover sheet of plan.
4. Show access to the stair towers on the plan.
5. A final consolidation plat must be recorded prior to the issuance of any building permit.
6. All elevations must be submitted for review with the SP final site plan.
7. The Fern Avenue elevation must be revised with the SP final site plan submittal to depict a flat parapet, smaller pedestrian entrance, and enclosed stairwells between the blocks of units.

8. The final SP site plan shall include a site utility electrical plan that satisfies NES and Planning Department requirements.
9. This SP is limited to multi-family residential use.
10. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM60 zoning district as of the date of the applicable request or application.
11. 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.
12. 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 conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
13. 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.

The proposed amendment to the previously approved SP-R district to allow for 64 multi-family units is consistent with the Bordeaux/Whites Creek Community Plan's Community Center policy, which is for areas intended to become town center, and includes a mixture of uses such as residential, offices, commercial retail and services and public benefit uses."

10. **2007SP-176U-11**
 Southcrest Clinic
 Map 119-10, Parcel 093
 Subarea 11 (1999)
 Council District 16 - Anna Page

A request to rezone from RS10 to Specific Plan-Office (SP-O) zoning property located at 90 Thompson Lane, approximately 245 feet west of Hartford Drive (0.37 acres), to permit a medical office building, requested by Donlon Land Surveying LLC, applicant, A.K. Son, owner.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Preliminary SP

A request to change from Single-Family Residential (RS10) to Specific Plan - Office (SP-O) zoning, property located at 90 Thompson Lane, approximately 245 feet west of Hartford Drive (0.37 acres), to permit a medical office building.

Existing Zoning

RS10 - 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.

Proposed Zoning

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

SOUTH NASHVILLE 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.

Special Policy Area 3-Thompson Lane Corridor: Simmons Avenue to Mashburn Road Intersection

1. Land uses intended in the NG, RM and RLM policy areas include all types of residential development, community services customarily allowed in residentially zoned areas, and offices. Land uses intended in the N C policy area are those allowed in the MUL zone district.
2. Maximum recommended intensity (measured in “floor to area ratio,” the ratio of the square footage allowed in the building compared to the area of the property) is 0.80 in the NG and N C policy areas, 0.60 in the RM policy area, and 0.40 in the RLM policy area. Maximum recommended residential density is 20.0 units/acre in the NG and N C policy areas. The standard maximum densities are recommended for the RM policy area (9.0 units/acre) and the RLM policy area (4.0 units/acre.)
3. Maximum recommended height is 3 stories (up to 45 feet) throughout the special policy area.
4. Parcel and access consolidation and, to the extent practical, cross-access between abutting uses are encouraged to reduce and manage traffic along Thompson Lane. New development and redevelopment should be pedestrian-friendly. Buildings should be oriented toward Thompson Lane and should be placed closer to Thompson Lane., with parking areas consolidated beside and/or behind the building.
5. Design-based zoning (ie. SP, UDO, or appropriate base district plus a PUD) is recommended wherever a zone change is necessary to ensure the intended type and design of development and the provision of any needed infrastructure improvements.

Consistent with Policy? Yes. This request for SP-O to permit a medical office is consistent with the Special Policy Area 3.

PLAN DETAILS

Site Plan The SP plan proposes to convert the existing residence to a medical office. It is the applicant’s intention to retrofit the existing residence unless the cost is the same or greater than the construction of a new building. If the cost is the same or greater, then the applicant may opt to construct a new building. Both the retrofitted existing building and a new building would be required to comply with the requirements of the proposed SP district.

Building materials for the façade of the retrofitted building include brick or artificial stone, cement-fiber board, and/or EIFS (exterior insulation finish system). New window fenestrations, repaired siding along the sides and siding on the rear, new roof and new doors are proposed. A newly constructed building is proposed to have a façade of brick, stone, cement-fiber board and/or EIFS material combination with commercial store front system and windows. The side walls are to carry the same appearance among the materials mentioned above. The roof will either be a gabled standing seam metal roof or flat roof with new parapet with coping cap with commercial TPO roofing system.

If the applicant opts for new construction, staff is requiring that elevations be submitted and reviewed in conjunction with the SP final site plan approval. In addition, an accompanying site plan showing the building envelop is required in order to maintain the existing setbacks.

The rear of the site is steeply sloped and has heavy tree coverage. This area will remain largely undisturbed and serve as a buffer to the residential properties that are not included in Special Policy Area 3. The properties to the east and west are not included in the proposed SP district and will remain residential uses at this time. A sidewalk is shown along Thompson Lane in front of the proposed site.

Signage The proposed signage is a monument sign with a masonry footing 12 inches in height with a wooden frame. Staff recommends that the Commission include a condition that the sign shall not exceed six feet in height, including the base, and seven feet in width. Details of the lettering will be determined at final site plan stage. Lighting will be from ground-mounted spot lights. The sign shall not be internally lit.

Access and Parking There is one access from Thompson Lane with a two way drive accessing eight parking spaces in the rear of the building. A handicapped parking space is provided in front of the building. The driveway is eighteen feet in width and is set back from the property lines.

The preferred parking arrangement would have been to locate all of the parking to the rear of the building. Due to the steep slopes, some grading will be necessary to accommodate the eight spaces. Significantly more grading would have been required if the handicapped parking space was also located to the rear. As proposed, it will be necessary to install a retaining wall. Details of the retaining wall were included with the application.

Landscaping The existing trees along the side of the property are proposed as an alternative to a 10 foot landscape buffer with a fence.

The landscaping strip shown on the plan to screen the parking in the front is five feet in depth. An existing tree is to remain. This strip needs to be a minimum of five feet in depth and the tree needs to be in a tree island that is at least 90 square feet in area. A hose bib will be provided on the front of the building. Tree protection fencing will be required for all trees that are to be preserved, including the hedgerow, during construction of the parking area, retaining wall, driveway and addition.

STORMWATER RECOMMENDATIONS - Preliminary approval.

URBAN FORESTER RECOMMENDATION A tree protection fence is need for the trees to the rear, and the existing trees that are to remain during construction.

FIRE MARSHAL RECOMMENDATION ny construction over 3600 sq. ft. will require an independent review by the Fire Marshals office and be required to comply with the 2006 edition of NFPA 1 table H.

The final plat shall show location and flow data for all fire hydrants.

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.

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	0.37	3.7	1	10	1	2

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Medical Office (720)	0.37	n/a	2,141	78	6	8

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	0.37	3.7	1	10	1	2

Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Medical Office (720)	0.37	n/a	2,141	78	6	8

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
--	0.37			+68	+5	+6

STAFF RECOMMENDATION The SP is consistent with the Special Policy Area 3. Staff recommends approval with conditions.

CONDITIONS

1. If new construction is proposed, staff shall review and approve elevations and the building envelope in conjunction with final site plan approval.
2. Signage shall be a one monument sign with a stone or brick base of up to one foot in height. The sign shall not exceed six feet in height or seven feet in width. Lighting shall be from ground-mounted spotlights and shall not be internally lit. Details of the sign lettering will be determined at final site plan.
3. Prior to the issuance of any permits, the requirements of the Urban Forester shall be met.
4. Uses are limited to medical office, general office, medical or scientific lab, outpatient clinic, rehabilitation services and a veterinarian office, but outdoor kennels shall not be permitted.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the OL zoning district as of the date of the applicable request or application.
6. 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.
7. 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 conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. 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.

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

Mr. Thomas Tribke, 2911 Wingate Avenue, spoke in opposition to the proposal.

Mr. Robert Whitley, 91 Thompson Lane, spoke in favor of the proposal.

Ms. Frances Farmer, 2909 Wingate, spoke in opposition to the proposal.

Ms. Kathy Groupke, 89 Thompson Lane, spoke in favor of the proposal.

Mr. CW Son spoke in favor of the proposal. He passed a photo around to the Commissioner for review, however, he did not leave the photo for the record.

Mr. Tony Snyder, 4603 Dakota Avenue, spoke in favor of the proposal.

Mr. Ponder acknowledged the existing zoning of this area in relation to the requested rezoning.

Mr. Tyler requested additional clarification on the application of this proposal and the requirements if it were considered as new construction.

Ms. Bernards explained this concept to the Commission.

Mr. Tyler then asked specifics regarding the zoning of surrounding parcels in relation to the requested zoning.

Mr. Bernhardt explained that the site plan containing the footprint of the area would remain the same even if an application were made for new construction.

Mr. Ponder moved and Mr. Clifton seconded the motion, which passed unanimously, to approve with conditions Zone Change 2007SP-176U-11. **(8-0)**

Resolution No. BL2008-8

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-176U-11 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. If new construction is proposed, staff shall review and approve elevations and the building envelope in conjunction with final site plan approval.
2. Signage shall be a one monument sign with a stone or brick base of up to one foot in height. The sign shall not exceed six feet in height or seven feet in width. Lighting shall be from ground-mounted spotlights and shall not be internally lit. Details of the sign lettering will be determined at final site plan.
3. Prior to the issuance of any permits, the requirements of the Urban Forester shall be met.
4. Uses are limited to medical office, general office, medical or scientific lab, outpatient clinic, rehabilitation services and a veterinarian office, but outdoor kennels shall not be permitted.
5. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the OL zoning district as of the date of the applicable request or application.
6. 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.

7. 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 conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. 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.

While the proposed SP-O district to allow for medical office building is not consistent with the South Nashville Community Plan's Neighborhood General policy, which is intended for residential development, it is consistent with the area's Special Policy (Area 3), which allows for office uses."

11. **2008SP-001U-10**
Townhomes at Glen Echo
Map 117-16, Parcels 007, 008
Subarea 10 (2005)
Council District 25 - Sean McGuire

A request to change approximately 0.9 acres from R10 to Specific Plan - Residential (SP-R) zoning properties located at 1603 and 1609 Glen Echo Road, at the southwest corner of Glen Echo Road and Belmont Boulevard, to permit the development of 8 townhome units, requested by Dale & Associates, applicant, for VLB Holdings LLC, and Scott D. Knapp, owners.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Preliminary SP

A request to change approximately 0.9 acres from One and Two-Family Residential (R10) to Specific Plan - Residential (SP-R) zoning properties located at 1603 and 1609 Glen Echo Road, at the southwest corner of Glen Echo Road and Belmont Boulevard, to permit the development of 8 townhome units.

Existing Zoning

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

Proposed Zoning

SP-R District - Specific Plan-Residential is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

GREEN HILLS/MIDTOWN COMMUNITY PLAN

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

Special Policy Area # 11 The area's special policy has the following requirements:

1. Development within this area should be limited to one- and two-family structures and townhouse type structures that are on separate lots designed for individual ownership.

2. Any development within this area should create a sustainable and walkable neighborhood. Buildings shall form an appropriate street wall consistent with the width of the street. This is critical for scale and to provide a clear definition to the street. The streetscape elements (sidewalks, street trees, street furnishings, etc.) shall fully support the development form. The massing of buildings shall complement each other in quality of construction and materials, scale, height, massing, and rhythm of buildings solid to open void. Any redevelopment shall achieve sensitive transition to surrounding development.
3. Development at RM intensities should be implemented only through Planned Unit Development (PUD) or Urban Design Overlay (UDO) zoning together with the appropriate based zoning.

Consistent with Policy? Yes. The proposed Specific Plan is consistent with the area’s residential medium policy and the area’s special policy.

PLAN DETAILS

General The plan calls for 8 townhomes on approximately 0.9 acres where one single-family residence currently exists. The overall density will be approximately 9 units per acre. The property is situated at the southwest corner of Belmont Boulevard and Glen Echo Road, and is within close proximity of David Lipscomb University, which is located southeast of the property.

Layout and Access The townhomes will be arranged with four units fronting on Belmont Boulevard, and four units fronting on Glen Echo Road. Front setbacks will be shallow. As proposed the parking area between the units along Belmont and Glen Echo will be visible. Adequate landscaping and a wall or knee wall should be used to reduce visibility of the parking area from Glen Echo Road. Access will be provided from a single private drive from Glen Echo Road. The drive will be located along the western edge of the property. Sidewalks are shown along Glen Echo Road and Belmont Boulevard.

Building Elevations Building elevations have been submitted and have been given preliminary approval. Final elevations including a list of allowed exterior materials must be approved by staff with the final site plan.

Buffering No specific buffer yards are shown on the plan, but a perimeter parking buffer is shown along the western and southern property line. Since the property to the west is within the special policy and the drive for the eight townhomes is located adjacent that property line, no additional buffering is needed. The property to the south is not within the special policy. To ensure that the single-family residence to the south is adequately buffered, a Standard B-5 Landscape buffer must be provided along the southern property line.

STORMWATER RECOMMENDATION Approved

PUBLIC WORKS RECOMMENDATION

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

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	0.9	3.7	3	29	3	4

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	0.9	N/A	8	62	6	7

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+5	+33	+3	+3

METRO SCHOOL BOARD RePORT

Projected student generation 0 Elementary 0 Middle 0 High

Schools Over/Under Capacity Students would attend Percy Priest Elementary School, Moore Middle School and Hillsboro High School. While Hillsboro High School has been identified as full by the Metro School Board the request is not expected to generate any additional students, and there is additional capacity within the adjacent Glenciff, Pearl-Cohn, Hillwood clusters for high school students. This information is based upon data from the school board last updated April 2007.

STAFF RECOMMENDATION Staff recommends that the request be approved with conditions. The proposed Specific Plan meets the RM land use policy and Special Policy Area #11.

CONDITIONS

1. Backflow-preventers shall be vaulted underground, or located behind the building setback line and completely screened from any public right-of-way.
2. Irrigation controllers and other on-site utilities shall be vaulted underground or screened from any public right-of-way, behind structures or landscaping.
3. A Standard B – 5 Landscape Buffer Yard or other Standard B – Landscape Buffer Yard shall be provided along the southern property line. If a Standard B – 5 Landscape Buffer Yard is used, then the final design of the required 6 foot tall wall or opaque fence shall be approved by Planning Staff with the final site plan.
4. Water quality and quantity shall be provided by a rain garden only within the area specified on the plan. Any other device that may be utilized for water quality and quantity shall be located underground and must be approved by Stormwater Staff and Planning Staff with the final site plan. A note to this effect shall be added to the preliminary Specific Plan Grading and Drainage Plan.
5. A knee wall or other device including landscaping shall be used to shield the parking area from public view from Glen Echo Road. Final design shall be approved by Planning Staff with the final site plan.
6. Final elevations for all building products including allowed exterior materials shall be approved by Planning Staff with the final site plan.
7. Uses are limited to single-family and attached single-family residences only.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application.
9. 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.
10. Minor adjustments 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

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

11. 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.

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

Mr. Shawn Hackett, 1604 N. Observatory Drive, spoke in opposition to the proposal.

Ms. Lynn Cypress expressed issues with the proposed development.

Mr. Richard Sweeney, 1607 Observatory Court, spoke in opposition to the proposed development.

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

Mr. Ponder spoke of a development located elsewhere in the City which was very similar to the requested project. He spoke of how that particular project enhanced that community and that the same effect could take place with this proposed development.

Ms. Jones acknowledged the transitioning stages of this neighborhood and the need for additional housing in the area.

Ms. LeQuire questioned the square footage of the units.

Ms. Nielson requested additional clarification on the buffering included in the proposal. She suggested that additional buffering be included in the conditions if the Commission were to approve the proposal.

Mr. Clifton stated that the Commission should include the condition of the additional buffering for the project. He acknowledged the need for additional housing types throughout the City. He requested additional information regarding the density of the proposal in relation to the surrounding parcels.

Mr. Swaggart explained this concept to the Commission. He acknowledged the recommended condition of adding a buffer and explained the staff's view regarding this condition.

Mr. Tyler expressed issues with the density of the proposal and its location within single family homes in this area. Mr. Tyler then asked if other proposals similar to this request had been approved near this area.

Mr. Swaggart explained recent developments in this area.

Mr. Bernhardt offered additional information regarding special policy for this area. He explained its intended uses and how it can improve areas lacking certain types of housing and that it can assist with connectivity.

Mr. Gotto offered that due to the fact that this proposal is a specific plan zoning, the Council will continue to address any issues associated with it.

Ms. LeQuire mentioned that well-designed density is needed in this City.

Mr. Ponder moved and Ms. Nielson seconded the motion, to approve with conditions Zone Change 2008SP-001U-10, to include a condition that a buffer yard be added to the west side of the drive. **(7-1) No Vote – Tyler**

Resolution No. BL2008-9

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008SP-001U-10 is **APPROVED WITH CONDITIONS, including a condition that a buffer yard be added on the west side of the drive. (7-1)**

Conditions of Approval:

1. Backflow-preventers shall be vaulted underground, or located behind the building setback line and completely screened from any public right-of-way.
2. Irrigation controllers and other on-site utilities shall be vaulted underground or screened from any public right-of-way, behind structures or landscaping.
3. A Standard B – 5 Landscape Buffer Yard or other Standard B – Landscape Buffer Yard shall be provided along the southern property line. If a Standard B – 5 Landscape Buffer Yard is used, then the final design of the required 6 foot tall wall or opaque fence shall be approved by Planning Staff with the final site plan.
4. Water quality and quantity shall be provided by a rain garden only within the area specified on the plan. Any other device that may be utilized for water quality and quantity shall be located underground and must be approved by Stormwater Staff and Planning Staff with the final site plan. A note to this effect shall be added to the preliminary Specific Plan Grading and Drainage Plan.
5. A knee wall or other device including landscaping shall be used to shield the parking area from public view from Glen Echo Road. Final design shall be approved by Planning Staff with the final site plan.
6. Final elevations for all building products including allowed exterior materials shall be approved by Planning Staff with the final site plan.
7. Uses are limited to single-family and attached single-family residences only.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM9 zoning district as of the date of the applicable request or application.
9. 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.
10. Minor adjustments 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 adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. 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.

The proposed SP-R district to allow for eight town homes is consistent with the Green Hills/Midtown Community plan’s Residential Medium policy, which is intended for residential developments with a density between four and nine units per acre, and the area’s special policy (Area #11), which calls for new developments to be more pedestrian friendly.”

IX. PUBLIC HEARING: CONCEPT PLANS

12. 2007S-170G-14

Hickory Falls
Map 076-00, Parcels 020, 048
Subarea 14 (2004)
Council District 12 - Jim Gotto

A request for concept plan approval to create a cluster lot development consisting of 195 lots, including 20 duplex lots (215 total units) on properties located at Chandler Road (unnumbered), approximately 2,450 feet east of Tulip Grove Road (107.44 acres), zoned RS15, requested by Eva Richardson, owner, Mid Tenn Surveying,

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Concept Plan

A request for concept plan approval to create 195 lots, including 20 duplex lots (215 total units) within a cluster lot development on properties located at Chandler Road (unnumbered), approximately 2,450 feet east of Tulip Grove Road (107.44 acres).

ZONING

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

SUBDIVISION DETAILS

Concept Plan The concept plan proposes to create 175 single-family lots and 20 duplex lots (215 total dwelling units) within the Hickory Falls Subdivision, 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 R10 (minimum 10,000 sq. ft. lots) to R6 (minimum 6,000 sq. ft. lots) if the plan meets all the requirements of the cluster lot provisions of the Metro Zoning Code. The proposed lots range in size from 6,000 square feet to 13,156 square feet.

Duplex lots must comply with the minimum lot size of the base zoning district. Each proposed duplex lot is at least 10,000 square feet, but the lots are concentrated in a single area of the development along Hickory Falls Drive, which is contrary to the provisions set forth in Section 17.16.020 (D) of the zoning code. This section of the Code states that the location of lots permitting two-family dwellings must be approved by the Planning Commission so as to minimize the impact on any single-family development. The duplex lots should be dispersed throughout the entire development, preferably on corner lots so that the units are fully integrated within the community in terms of design and placement. Staff recommends that the Commission include a condition requiring the duplex lots to be dispersed.

Open Space Cluster lot developments are required to provide 15 percent common open space per phase. The concept plan designates 60 percent of the site as common open space with each section of the plan exceeding the minimum required open space per phase. Most of the open space areas contain steep slopes or are located within the floodplain. The plan also proposes one recreational facility. Per the requirements established by Ordinance BL2007-1365, two recreational facilities will be required. Staff recommends a condition that a second facility is provided prior to final plat recordation.

Critical Lots The Metro Subdivision Regulations require that a lot be designated as critical when it is created on natural slope of 20 percent or greater, or when it contains natural floodplain. Section 17.28.030 of the Metro Zoning Code further stipulates that for single and two-family lots of less than one acre, any natural slopes equal to or greater than 25% shall be platted outside of the building envelope and preserved to the greatest extent possible in a natural state. Approximately 12 lots have been designated as critical due to steep slopes; however, none of the lots contain slope equal to or greater than 25 percent. Prior to the issuance of any building permits, a critical lot plan will be required for each of these lots.

Floodway/Floodplain Section 17.28.040 of the Metro Zoning Code specifies that development on property encumbered by natural floodplain or floodway shall leave a minimum of 50% of the natural floodplain area, including all floodway area undisturbed and in its natural state. Approximately 17.4 percent of the site contains floodplain. The concept plan shows no development in these areas and provides a conservation greenway public access trail easement which includes all of the floodway, the 50 foot wide floodway buffer, plus an additional 25 feet.

Access/Street Connectivity The site is accessible by street connections through Hidden Hills Subdivision to the west and Heritage Hills Subdivision to the north. Future street connections are also planned to the east towards Wilson County. The plan also proposes five foot wide sidewalks to provide pedestrian access throughout the development.

Mt. Juliet Review The plans were also reviewed by the City of Mt. Juliet. The developer will need to continue to address comments provided by the City of Mt. Juliet for the portion of the plan that falls within their jurisdiction.

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. Identify centerline curve data. Roadway centerline to conform to AASHTO design standards.
3. Roundabout design to conform to FHWA, AASHTO, and MUTCD standards. Identify splitter islands, entry and exit radius at intersections.

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

4. At the intersection of Tulip Grove Road and Leesa Ann Lane, modify the westbound approach of Leesa Ann Lane to include separate left and right turn lanes each with 100 ft of storage and transitions per AASHTO/MUTCD standards.
5. At the intersection of Tulip Grove Road and Leesa Ann Lane, construct a northbound right turn lane on Tulip Grove Rd with 75ft of storage and transitions per AASHTO/MUTCD standards.
6. At the intersection of Tulip Grove Road and Chandler Road, construct an eastbound left turn lane with 100ft of storage and a westbound left turn lane with 50ft of storage and transitions per AASHTO/MUTCD standards on Chandler Road.
7. At the intersection of Tulip Grove Road and Chandler Road, modify the traffic signal to include a separate left turn phases for westbound and eastbound left turns. Modifications shall accommodate any changes to the existing railroad preemption configuration. Complete reconstruction of the signal may be required.
8. At the intersection of Tulip Grove Road and Lebanon Road, modify the pavement markings on the northbound approach to change the existing shared right/through lane to a dedicated right turn lane. Modify the traffic signal to include a northbound right turn overlap phase.

STORMWATER RECOMMENDATION Approved.

1. Applicant is advised that all stream crossings should be perpendicular. A variance will be required from the SWMC if the crossing deviates more than 15 degrees from the perpendicular.
2. Applicant is advised that all stream crossings require bottomless culverts. A variance must be successfully secured from the SWMC for employment of non-bottomless culverts.

STAFF RECOMMENDATION Staff recommends approval with conditions of the concept plan.

CONDITIONS A revised concept plan shall be submitted including compliance with the following conditions:

1. Duplex lots should be located on corner lots and shall be dispersed evenly throughout the development and not concentrated in any one area or along any one street.
2. A second recreational facility must be provided, as per Ordinance BL2007-1365.
3. Right of way widths along Lady Nashville Court, Hickory Falls Drive, Hickory Falls Lane shall be reduced from the 50' street cross-section to the 46' street cross-section.
4. Add a note stating that a minimum of 50 percent of the natural floodplain area shall remain undisturbed and

in its natural state.

5. All temporary turnarounds must be shown within the boundary of the property being subdivided.
6. The street name Hickory Falls Drive shall be replaced with the street name Lady Nashville Drive.
7. At final development plan, the developers shall work with Planning and Public Works to determine if a roundabout is feasible at the intersection of Hidden Hill Drive and Lady Nashville Drive.
8. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.

Ms. Jones presented and stated that staff is recommending approval with conditions. Ms. Jones also stated that Condition #2 should be removed from the staff report.

Mr. David Carter, 1229 Lilac Drive spoke in opposition to the proposed development, in particular, Condition #1.

Mr. Gotto briefly summarized his concerns regarding this proposal. He spoke in favor of removing the first condition included in the staff report.

Mr. Clifton requested additional clarification regarding the first condition listed in the staff report – the location of the duplexes contained in the development.

Mr. Bernhardt explained the staff's recommendation regarding the placement of the duplexes in this project. He spoke of issues associated with placing duplex housing in the rear of communities and the disadvantages. He stated that intermixing duplexes with single-family homes in communities, has proven to be a more sustainable pattern for neighborhoods and communities.

Mr. Ponder spoke in favor of the development as proposed. He then questioned the portion of the project that is located in Wilson County.

Ms. Nedra Jones explained the portion of the land included in this development that is located in Wilson County. She did state that Mt. Juliet will review the plans as well.

Mr. Ponder then requested additional clarification regarding the access to this development.

Ms. Nedra Jones explained the connections.

Mr. Gotto moved and Mr. Ponder seconded the motion, to approve Concept Plan #2007S-170G-14 to include the removal of condition #1. **(7-1) No vote – Tyler**

Resolution No. BL2008-10

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007S-170G-14 is **APPROVED WITH CONDITIONS, but remove conditions 1 and 2. (7-1)**

Conditions of Approval:

1. ~~Duplex lots should be located on corner lots and shall be dispersed evenly throughout the development and not concentrated in any one area or along any one street.~~
2. ~~A second recreational facility must be provided, as per Ordinance BL2007-1365.~~
3. Right of way widths along Lady Nashville Court, Hickory Falls Drive, Hickory Falls Lane shall be reduced from the 50' street cross-section to the 46' street cross-section.
4. Add a note stating that a minimum of 50 percent of the natural floodplain area shall remain undisturbed and

in its natural state.

5. All temporary turnarounds must be shown within the boundary of the property being subdivided.
6. The street name Hickory Falls Drive shall be replaced with the street name Lady Nashville Drive.
7. At final development plan, the developers shall work with Planning and Public Works to determine if a roundabout is feasible at the intersection of Hidden Hill Drive and Lady Nashville Drive.
8. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.”

13. 2008S-014G-12

Turner Farms

Map 187-00, Parcels 009, 154, 155, 178

Subarea 12 (2004)

Council District 31 - Parker Toler

A request to revise a previously approved preliminary plat to create 153 clustered lots where 151 lots were previously approved on properties located at 6943 and 6947 Burkitt Road and Burkitt Road (unnumbered), approximately 4,200 feet east of Nolensville Pike (46.63 acres), zoned RS10, requested by Turner Farms LLC, owner, Roger Harrah, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Revise Preliminary Plat

A request to revise a previously approved preliminary plat to create 153 clustered lots where 151 lots were previously approved on properties located at 6943 and 6947 Burkitt Road and Burkitt Road (unnumbered), approximately 4,200 feet east of Nolensville Pike (46.63 acres), zoned Single Family Residential (RS10).

ZONING

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

PLAN DETAILS - The revised preliminary plan proposes 153 single family lots ranging in size from 6,027 sq. ft. to 17,192 sq. ft. This application uses the cluster lot option which allows lots to be reduced in size by two base zone districts. Since the zoning is RS10, lots can be reduced to 5,000 sq. ft. if the plan meets all requirements of the cluster lot option policy. Several lots are designated as Critical Lots due to steep topography.

The preliminary plat for this subdivision was first approved by the Planning Commission at its February 23, 2006, meeting. The applicant has changed the number of lots and the street layout. These changes constitute a major revision to the plat and require the approval of the Planning Commission.

The revised plan replaces three cul-de-sacs with a long loop street. A loop street that had crossed the stream on the site has been replaced with two cul-de-sacs. Both cul-de-sacs provide pedestrian access to usable open space.

A 0.77 acre parcel of land, previously identified as open space is now identified as a “reserve” parcel. Section 2-1.5 of the Subdivision Regulations requires that all land within a proposed subdivision be incorporated into lots, lands held in common, or public rights of way. No variance has been requested to permit this reserve parcel and no explanation for why this is to be left in reserve has been provided. This 0.77 acres needs to be incorporated into a lot or identified as open space or other type of land held in common.

An existing house with historical value is to remain. A house with historical value on adjacent property to the north is to be screened using a combination of trees and fencing to preserve the visual sense of a rural farmstead, as shown on the plan.

Site Access The site is accessed from Burkitt Road to the north. The future connections proposed in the approved preliminary plan, including two streets stubbed to the east, one street stubbed to the south and one street stubbed to the west, are also in this plan. Two of the proposed stub streets are longer than 150 feet and require temporary turnarounds. The turnarounds, as shown on the plan, impact Lots 86 and 145. Until these streets are extended, the location of the temporary turnarounds appear to make the lots unbuildable and out of character with the remainder of the street. The temporary turnarounds need to be reconfigured on the final plat and final construction drawings to allow building setbacks to be consistent with the remainder of the street.

As noted above, a new long block is to replace three cul-de-sacs. While the new street pattern provides connectivity, the resulting block is excessive in length and staff recommends that this be reduced by adding a mid-block break.

The original plan showed a series of private alleys including one stubbed to the eastern edge of the property. A stream crossing would have been required to continue the alley across the property line. Instead, there is a hammerhead turnaround at the edge of the required landscaped buffer yard. The private alleys have been replaced by rear access easements. Lots 1 to 54, 61 to 75, 107 to 117, and 118 to 134 are to be served by rear access. The rear access easement serving Lots 107 to 117 needs to connect to the road between Lots 110 and 111.

The Public Works Department has identified a number of roadway improvements. These were conditions of the previous approval.

Sidewalks Sidewalks are required on all new streets and are shown on the plan. Along the large open space to the west, which contains a small lake, an option to provide a pedestrian path, built to Metro Greenway standards and to be maintained by the homeowners association, is provided. If the path is not provided, a public sidewalk is required within the right of way.

Open Space There is 17.48% open space proposed that will provide “use and enjoyment.” This meets the 15% requirement for cluster lot option policy. An activity center is planned adjacent to a small lake within the large openspace at the western edge of the property. An additional 4% of the property will be used for landscape buffer-yards. The Commission’s cluster lot policy requires common open space to have “use and enjoyment” value to the residents including recreational value, scenic value, or passive use value. Residual land with no “use or enjoyment” value, including required buffers and stormwater facilities, has not been counted towards the open space requirements.

Landscape buffer yards are required and proposed along the eastern edge of the property. A buffer yard is shown along lot 146, while one is needed for lots 150 and 78, as these lots are smaller than 10,000 square feet. A condition has been included to require the additional buffers.

Critical Lots The plan identifies Lots 82, 108, 129, 141, 142, and 156 as Critical Lots, which have slopes greater than 20 percent. As previously approved, the applicant has indicated with a note on the preliminary plan that roadways adjacent to these lots will be altered in such a way so as to create lots upon which only minor grading will need to be performed. The minor grading indicated as being limited to approximately two feet of cut and fill and retaining walls being no higher than three feet in height. The applicant’s intent is that when the final plat is submitted, these lots will no longer be deemed critical. Since the grading will exceed that required just for the right-of way, the grading plans will need to be submitted for approval prior to approval of the final plat.

Prior to final plat approval, any remaining critical lots must be labeled with a star. Those critical lots with natural slopes that generally rise away from, or are parallel to, the fronting street must provide a building envelope on less than twenty percent natural slope and a minimum lot width of 75 feet at the building line as required by 17.28.030 of the Zoning Code.

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. Per the TIS, locate project access road on Burkitt approximately 210 ft east of the west property line and provide adequate sight distance.

3. Per the TIS, construct a westbound left turn lane with 75 ft of storage and transition per AASHTO standards on Burkitt at project access road.
4. Per the TIS, construct an eastbound right turn lane with 75 ft of storage and a 90 ft transition on Burkitt at project access road.
5. Per the TIS, construct Project access road with 1 entering lane and 2 exiting lanes with 100 ft storage and transition per AASHTO standards.
6. Conduct traffic counts at the Burkitt Rd and Nolensville Rd intersection at 50 % and 100% completion of development and submit traffic signal warrant analysis to Metro Traffic Engineer for approval of signal by Metro Traffic and Parking Commission. Developer shall submit signal plan for metro approval and install signal when approved.
7. Document sight distance at project entrance, and that adequate site distance is available per AASHTO the for posted speed limit.
8. Along Burkitt Road label and dedicate right of way 30 feet from centerline to property boundary. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
9. Construct Burkitt Road with twelve (12') foot wide travel lanes and four (4') foot shoulders along property frontage to the Burkitt Place development roadway improvements.
10. Public sidewalks to be located within the right of way.
11. Roundabout design to conform to FHWA, AASHTO, and MUTCD standards. Identify splitter islands, entry and exit radius right of way.
12. Construct ST-252 cross section for parcel 10 connectivity streets, and the Jennings Spring Road connectivity street.
13. Construct temporary turnarounds at the terminus of roadways greater than 150'.
14. Construct turnaround at terminus of alley (Lot 4), or provide internal connectivity of alley to proposed street.
15. Connect proposed alley to roadway (Lot 111)
16. Dedicate right of way for proposed Alleys.

STORMWATER RECOMMENDATION

1. Amend Note #15. Specifically, applicant should state that State Approval of in-line detention must be obtained in addition to a variance from the Stormwater Management Committee.
2. It is noted that water is directly discharged into the lake via an outfall to the north of Lot 106. The water must be treated for water quality prior to discharge, and must adhere to the restrictions mentioned in comment #1 above. Appropriate correction is required.
3. Stormwater infrastructure is present in the Zone 1 Buffer present between Lots 93 and 96. The infrastructure must be removed from the buffered areas. Appropriate correction is required.
4. With reference to comment number 3 above, water from the infrastructure is discharged into the buffer without prior water quality treatment. Appropriate correction is required.

FIRE MARSHAL RECOMMENDATION

1. Fire Hydrant flow data shall be provided before plat can be approved.
2. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road. Metro Ordinance 095-1541 Sec: 1568.020 B.
3. All roadways with-two way traffic shall comply with public works minimum requirements.
4. Any residential construction over 3600 sq. ft. will require an independent review by the Fire Marshals office and be required to comply with the 2006 edition of NFPA 1 table H. (<http://www.nashfire.org/prev/tableH51.htm>)
5. The final plat shall show location and flow data for all fire hydrants.
6. A fire department access road shall extend to within 50 ft of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.
7. Dead end fire mains over 600 feet in length are required to be no less than 10 inch in diameter. If this is to be a public fire main, a letter from Metro Water is required excepting the length and size.

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 Brick Church Pike that Metro PW might require
6. Developer should work with Metro PW on street lighting required future location(s) due to Metro's requirements
7. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules
8. NES needs load information asap for each different lot type and size. (NES required to determine load capacity)
9. Does developer have any other options on property next to this 1 to be serve ugrd.
10. NES NEEDS TO KEEP MAIN LINE IN 30FT PUBLIC UTILITY EASEMENT CENTERED ON THE EXISTING OVHD LINE.

STAFF RECOMMENDATION Staff recommends disapproval unless revised plans are submitted and approved by Metro Stormwater. If revised plans are submitted and approved by Metro Stormwater prior to the Planning Commission meeting, then the recommendation is to approve with conditions, including that the portion of the property identified as a reserve parcel be incorporated into a lot or open space and that a mid-block break be added to the long block containing Lots 25 to 54.

CONDITIONS

1. A landscape buffer, as depicted on the preliminary site plan shall be required along the northern property boundary. The buffer shall include a combination of trees and fencing to preserve the visual sense of a rural farmstead.

2. The temporary turnarounds shall be reconfigured on the final plat and final construction drawings to allow building setbacks to be consistent with the remainder of the street.
3. The portion of the property identified as a reserve parcel shall be incorporated into a lot or open space as required by Section 2-1.5 of the Subdivision Regulations.
4. A mid-block break shall be added to the block containing Lots 25 to 54.
5. Buffer yards shall be provided for Lots 150 and 78.
6. A pedestrian path, built to Metro Greenway standards, to be maintained by the homeowners association, may be provided along the large open space to the west. If the path is not provided, a public sidewalk within right of way shall be required.
7. Prior to final plat approval, any remaining critical lots shall be labeled with a star. Those critical lots with natural slopes that generally rise away from, or are parallel to, the fronting street shall provide a building envelope on less than twenty percent natural slope and a minimum lot width of 75 feet at the building line as required by 17.28.030 of the Zoning Code.
8. Grading plans will need to be submitted and approved prior to approval of the final plat.
9. Stormwater requirements shall be met prior to preliminary plat approval.
10. Fire Marshal requirements shall be met prior to final plat approval.
11. Public Works requirements shall be met prior to final plat approval.
12. 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.

Approved with conditions, (6-0) *Consent Agenda*

Resolution No. BL2008-11

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-014G-12 is **APPROVED WITH CONDITIONS, including a condition that the sidewalks be extended to the boundaries for the project and that a 20 foot, Type C landscape buffer yard be provided for Lots 151, 152, and 153. (6-0)”**

X. PUBLIC HEARING: FINAL PLATS

14. **2008S-006G-06**
Steven Mathers Subdivision
Map 100-00, Parcel 032
Subarea 6 (2003)
Council District 35 – Bo Mitchell

A request for final plat approval to create 3 lots on property located at 8273 Old Pond Creek Road, approximately 6,000 feet north of Old Charlotte Pike (7.94 acres), zoned AR2a, requested by Steven Mathers, owner, Chapdelaine & Associates, surveyor.

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Final Plat

A request for final plat approval to create 3 new lots on approximately 7.94 acres located at 8273 Old Pond Creek Road, zoned AR2a, approximately 6,000 feet north of Old Charlotte Pike.

ZONING

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

SUBDIVISION DETAILS The plat proposes three new single-family lots where one parcel currently exists. The existing parcel is approximately 7.94 acres, and the proposed density will be .37 units per acre which is consistent with the maximum density of one unit per 2 acres permitted in the AR2a zoning district. All lots will be 2 acres or greater in size, ranging from 89,028 sq. ft., (2.04 acres) to 129,521 sq. ft., (2.97 acres). All lots will have frontage along Old Pond Creek Road, however, Lot 3 will be a flag lot.

Section 3-4.2.c of the Subdivision Regulations does not permit flag lots but the Planning Commission may waive the regulation if it finds that there are unusual conditions, limited area for lot frontage, or if all of the following conditions are met:

1. The proposed lots fit into the character of the area and are consistent with the general plan.
2. All minimum standards of the Zoning Code shall be met.
3. Up to three lots are proposed.
4. The residential unit on the lot with frontage comparable to other lots in the area shall face the street.
5. The flag lot private drive and/or access easement shall connect to a street.
6. The flag lot private drive and/or access easement shall be at least ten feet wide for its entire length.
7. The flag lot shared access easement shall be part of one non-frontage lot and under the same ownership as that lot.

The proposed subdivision is near the end of Pond Creek Road and is located in a very mountainous, rural and remote area of the county. The land use policy is Natural Conservation. The proposed flag lot meets all of the requirements established in the Subdivision Regulations for flag lots.

The lots will be on septic and proposed septic fields are designated on the plat. Prior to recording the plat, the proposed septic fields must have final approval from the Metropolitan Health Department.

This subdivision can be approved as a final plat as no infrastructure improvements are required and it does not meet any of the conditions of a major subdivision. Concept and development plans are not required.

STORMWATER RECOMMENDATION Approved

PUBLIC WORKS RECOMMENDATION No Exception Taken

STAFF RECOMMENDATION Staff recommends that the request be approved since it meets all Metro Subdivision Regulations and Metro Zoning Code requirements.

CONDITIONS

1. Prior to recordation of the final plat the Metropolitan Health Department must approve all septic fields and sign the plat.

Approved with conditions, (6-0) *Consent Agenda*

Resolution No. BL2008-12

“BE IT RESOLVED by The Metropolitan Planning Commission that 2008S-006G-06 is **APPROVED WITH CONDITIONS. (6-0)**”

Conditions of Approval:

1. Prior to recordation of the final plat the Metropolitan Health Department must approve all septic fields and sign the plat.”

XI. PUBLIC HEARING: REVISIONS AND FINAL SITE PLANS **PLANNED UNIT DEVELOPMENTS**

- 15. 117-83-U-14**
Music City Outlet Center PUD (Holiday Inn Express)
Map 062-00, Parcels 034, 255
Subarea 14 (2004)
Council District 15 - Phil Claiborne

A request to revise a portion of the preliminary plan and for final approval of the Music City Outlet Center Planned Unit Development located at McGavock Pike (unnumbered), approximately 1,100 feet west of Music Valley Drive (2.72 acres), zoned CA, to permit the development of a 5-story, 113-room, 70,784 square foot hotel where an 87,375 square foot hotel was previously approved, requested by Dale & Associates, applicant, for Pinnacle-McGavock Pike, LLC, owners. (See also Subdivision Proposal No. 2008S-009U-14).

STAFF RECOMMENDATION: Approve with conditions.

APPLICANT REQUEST - Revise Preliminary & PUD Final Site Plan

A request to revise a portion of the preliminary plan and for final site plan approval of the Music City Outlet Center Planned Unit Development located at McGavock Pike (unnumbered), approximately 1,100 feet west of Music Valley Drive (2.72 acres), zoned Commercial Attraction (CA), to permit the development of a 5-story, 113-room, 70,784 square foot hotel.

PLAN DETAILS

General The site plan proposes a five-story hotel consisting of 113 rooms within 70,784 square feet.

Access/Parking The site is accessible by McGavock Pike and Outlet Center Drive. A 24 foot driveway connects to McGavock Pike to the south and Outlet Center Drive to the east. The 24 foot drive connecting to McGavock Pike does not align with the signalized intersection at Opry Mills Drive. The alignment as shown on the plan would create traffic conflicts and therefore, should be eliminated. With the elimination of this drive, the site would still be accessible from McGavock Pike by way of a shared ingress/egress easement with the adjacent parcel, which has a direct connection to McGavock Pike. A total of 122 parking spaces is planned for the hotel and five of the spaces are shown as reserved for handicap space.

Sidewalks A sidewalk is proposed along McGavock Pike for pedestrian access. An additional sidewalk pedestrian connection is needed along Outlet Center Drive. The recent expansion of Two Rivers Corporate Center, as well as the commercial retail growth within the adjacent Music Valley PUD have increased pedestrian activity in the area as employees, tourists and patrons of nearby establishments travel along Outlet Center Drive and McGavock Pike. The increase in pedestrian activity has created a need for more sidewalk connections in this area to facilitate safe and convenient pedestrian movements. Although the plan does not currently include a sidewalk along the property's frontage at Outlet Center Drive, it is recommended that a sidewalk be installed at this location.

Landscaping The plan proposes landscaping around the perimeter of the site and interior to the parking the lot. A total of 32 trees are planned which complies with the minimum tree density requirements.

Preliminary Plan The preliminary PUD plan was approved to permit an 87,375 square foot hotel. Section 17.40.120.G.2.h of the Metro Zoning Ordinance stipulates that the total floor area of a commercial or industrial classification of a PUD shall not be increased more than ten percent beyond the total floor area last approved by the council. The revised plan reduces the building square footage by 16,591 square feet, and would permit a 70,784 square foot hotel. The revised plan does not create any greater intensity of development on the site and remains consistent with the land use policy at this location.

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

3. Remove proposed driveway onto McGavock Pike along the western property line because of conflicts with the existing traffic signal.
4. Widen existing driveway onto McGavock Pike to provide two exiting lanes (right turn and left turn lanes).
5. Modify pavement markings on Outlet Center Drive to provide a continuous two way left turn lane into the proposed development.

STORMWATER RECOMMENDATION

1. Provide a copy of the recorded plat for the PUD showing the easement locations for the underground detention and water quality devices.
2. Provide recording fees for the Operations and Maintenance Agreement and Long Term Maintenance Plan (LTMP). Provide a drawing showing the location of the underground detention and water quality devices with the LTMP on a sheet no larger than 8 1/2" x 14" so that it can be recorded.
3. Provide the conversion between the NAVD88 and NGVD29 datums. The base flood elevation of 421' is based on the NGVD29 datum while the grading and contour elevations on the plans are referenced to the NAVD88 datum.
4. Provide a silt fence or other erosion and sediment control measures on the southern edge of the site along McGavock Pike.
5. Provide a detail on the plans for the temporary inlet protection.
6. Provide a detail for the proposed retaining wall.
7. Is there sufficient clearance between the existing 60" cmp which has an invert elevation of approximately 403.92' at the headwall and the proposed 18" pipe (P7) with an approximate invert elevation of 409.00'?
8. Include the uncontrolled bypass area with the water quality calculations. 80% TSS removal must be met for the entire site.
9. Provide revised Contech Stormfilter design calculations based upon new criteria and specifications decided upon between Contech, MWS, and AMEC staff.
10. Provide the invert elevations and pipe sizes on the Contech Stormfilter detail.
11. What is the large structure labeled as WQU on the plans? Is this the water quality detention system for the stormfilter? Provide a detail for this detention system and provide access points at the bends in the piping of the system.
12. Provide a detail showing how the flows that will bypass the water quality unit will be diverted to the underground detention system.
13. Where does the runoff leaving headwall #1 discharge to? Is there a ditch to provide conveyance for the runoff?
14. Provide a drainage area map for both of the 60" downstream structures. Is the 60" pipe running through the property one of the two downstream structures? Which direction is it flowing, towards the depression/sinkhole to the north or to the south?
15. Provide calculations determining the actual flow to both of these downstream structures.
16. Provide capacity calculations for the second downstream structure.
17. Does runoff from this site discharge to a sinkhole to the north?

STAFF RECOMMENDATION Staff recommends approval with conditions of the revised preliminary and final site plan. The proposed hotel would not result in any greater intensification of uses within the PUD or the surrounding area.

CONDITIONS

1. Prior to the issuance of building permits, a final plat shall be recorded consolidating the two existing lots into one lot.
2. Prior to final plat approval, the 24 foot driveway connection to McGavock Pike along the western property line shall be removed and additional landscaping shall be provided to screen the perimeter at this location. Prior to final plat recordation, a revised Final PUD site plan shall be submitted.
3. Prior to final plat approval, a sidewalk shall be shown along the property frontage at Outlet Center Drive.

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. 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.
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.
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.

Approved with conditions, **(6-0) Consent Agenda**

Resolution No. BL2008-13

“BE IT RESOLVED by The Metropolitan Planning Commission that 117-83-U-14 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. Prior to the issuance of building permits, a final plat shall be recorded consolidating the two existing lots into one lot.
2. Prior to final plat approval, the 24 foot driveway connection to McGavock Pike along the western property line shall be removed and additional landscaping shall be provided to screen the perimeter at this location. Prior to final plat recordation, a revised Final PUD site plan shall be submitted.
3. Prior to final plat approval, a sidewalk shall be shown along the property frontage at Outlet Center Drive.
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. 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.
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.
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.”

XII. OTHER BUSINESS

16. House move application fee adjustment.

Approved, (6-0) *Consent Agenda*

17. An amended employee contract for Anita McCaig.

Approved, (6-0) *Consent Agenda*

18. Executive Director Reports

19. Legislative Update


SUBDIVISION LIST	
MPCNUMB	NAME
2007S-240U-10	GLEN ECHO, The, PH. 2
2007S-307G-04	ENCLAVE at TWIN HILLS (formerly "Twin Hills")
2007S-183G-12	SUNSET HILLS, PH. 1, SEC. 2
2007S-238U-14	HENDRIXSON & RESHA PROPERTIES
2007S-117G-12	SUGAR VALLEY (2ND ADDN.), PH. 3, SEC. 1

XIII. ADJOURNMENT

The meeting adjourned at 5:35 p.m.

Chairman

Secretary

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