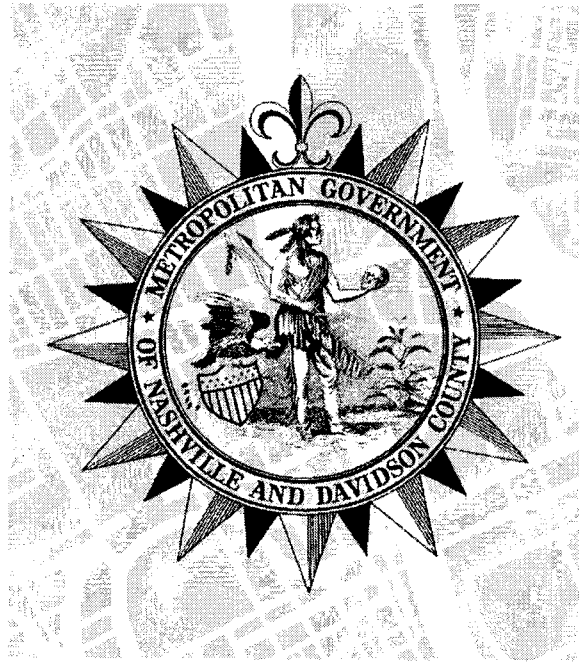


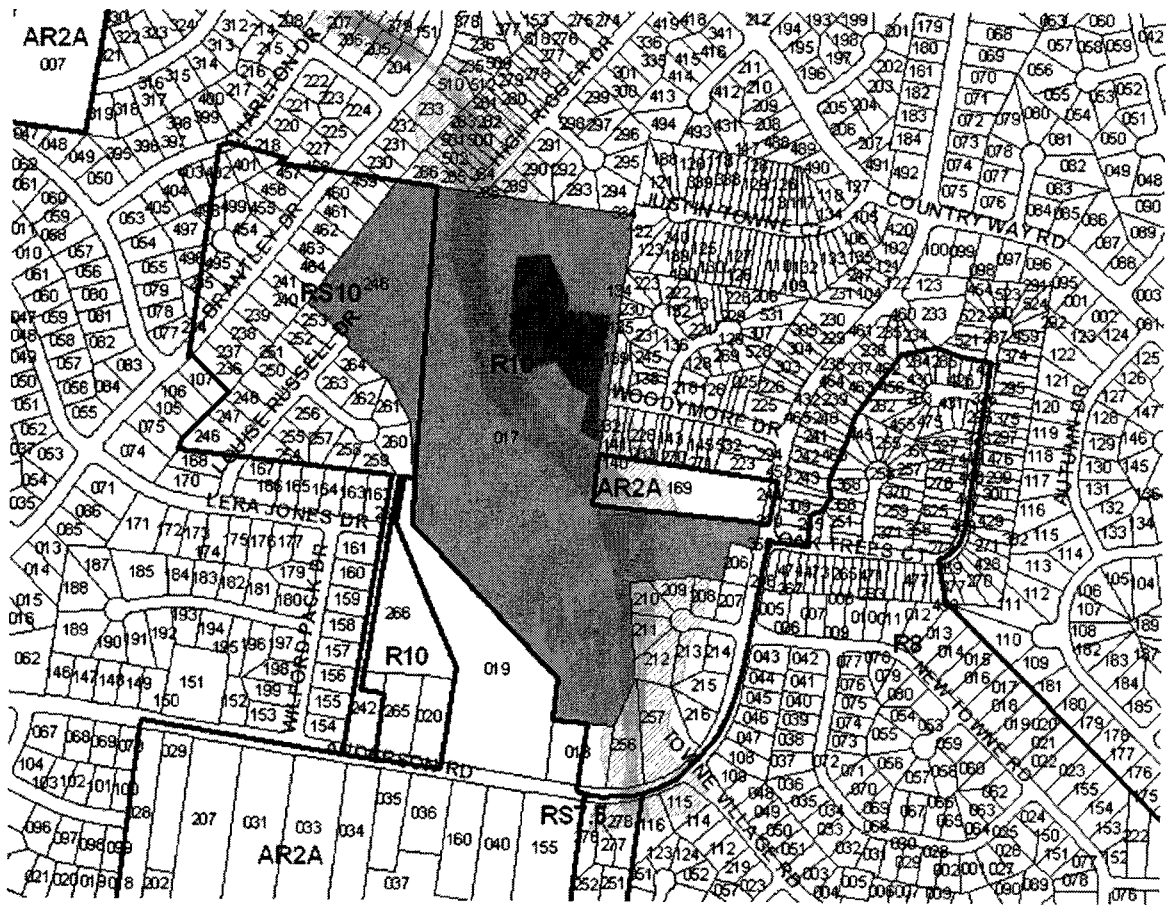
Metropolitan Planning Commission



Staff Reports

January 24, 2008

PREVIOUSLY DEFERRED ITEMS



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



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

Subdivision 2007S-309U-13
The Parks at Priest Lake Subdivision
29 – Wilhoite
6 - Johnson
Dale & Associates, applicant, for Umbrella Investment Corporation, owner
Deferred from the January 10, 2008, Planning Commission meeting

Deferral

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Revise Preliminary Plat

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).

History

This application was deferred from the December 13, 2007, Planning Commission meeting at the request of the applicant, and from the January 10, 2008 meeting at the request of Councilmember Wilhoite. Unless the applicant requests to defer this item, the Planning Commission must act on the application at this meeting or it will be deemed approved. The Planning Commission needs to act within 30 days of the date the application was placed on the agenda, in this case, January 10, 2008, and the next meeting is not until February 14, 2008.

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.

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.





Metro Planning Commission Meeting of 1/24/08

SUBDIVISION DETAILS

The plan proposes 70 single-family lots and 9 two-family lots totaling 88 units. The overall density will be approximately 2.9 units per acre. This is a cluster lot subdivision which allows for the single-family lots to be reduced in size by two base zone districts (RS10 to RS5, and R10 to R6). Lots range in size from 6,028 square feet to 11,934 square feet.

Some lots will be off existing stub streets including Woodymore Drive and Louise Russell Drive. A new street is proposed from Louise Russell Drive that stubs to parcel 018 to the south which will provide for future connectivity. This new street also has two other short stub streets that will provide for future connectivity to parcel 019 to the southwest.

A stream bisects the property and no road is proposed to cross the stream resulting in a development that contains two individual portions east and west of the stream. As proposed, nine duplex units and eight of the single-family lots will be on the east side of the stream, and the remaining 62 single-family lots will be west of the stream. While there is no street connection between lots east and west of the stream a pedestrian connection is proposed.

Woodymore Drive currently consists of mostly duplex and zero lot line residences. As proposed all duplex units will be along the extension of Woodymore Drive which could overwhelm the single-family lots proposed for the end of Woodymore Drive. In order to minimize the impact additional duplex lots could have on the proposed single-family lots at the end of Woodymore Drive, the total number of duplex lots should be limited to four, and should be located near the front end of the extension of Woodymore Drive, which will provide a better transition from the existing zero lot line residences and the proposed single-family lots. Four more duplex lots could be distributed on the west side of the stream in a way that does not overwhelm the single-family lots. Duplex lots on the west side of the stream should be located on corner lots in the R10 district.

The property contains floodplain and floodway and 32 lots are identified as critical lots because they contain some floodplain. The Zoning Code allows up to 50%



Metro Planning Commission Meeting of 1/24/08

of the natural floodplain to be disturbed. The plan leaves 55.7% of the floodplain undisturbed in open space. The cluster lot option also requires at least 15% of the total land area be designated as open space. The provided open space will exceed this requirement.

The Zoning Code also requires that cluster lot subdivisions provide active or passive recreational facilities. This development is required to provide a passive recreational area which is met by a proposed gazebo and walking trail. The gazebo is currently shown in the floodplain and must be relocated out of the floodplain.

Approved Preliminary Plan

A preliminary plan for 83 single-family units on these properties was approved by the Planning Commission on May 25, 2006. The proposed plan is consistent with the approved layout, and the only changes are the inclusion of duplex lots and the addition of a walking path and recreational facility.

STORMWATER RECOMMENDATION

1. Add the, "Special Notes" reflected on sheet 1 of the previously approved preliminary plat. Specifically, the notes should reference the flood study submitted to Metro, cite the title and date of publication. Furthermore, the "Special Notes" should reference all Stormwater Variances and provide a cursory explanation of said variances. As such, cite the following Approved Stormwater Variances: 2006-005, 2006-127, 200700031.
2. Show and label the proposed and existing 100 Year Floodplain Lines in addition to the Proposed and Existing Floodway Lines.
3. With reference to comment number 2 above, reference the approved document(s) that allow for the relocation of the Floodway and 100 Year Floodplain Lines. Specifically, cite the CLOMR case number.
4. CLEARLY show and label all Water Quality Measures.
5. Add another note in the, 'Special Notes' section stating 15 acres of off-site is being treated for water quality to mitigate for the portion of the lots on the current concept plan that are not being treated for water quality.



Metro Planning Commission Meeting of 1/24/08

6. With reference to comment number 5 above, cite the Maintenance Agreement Instrument Number for the Pond treating the off-site water: 200704230047709.

PUBLIC WORKS RECOMMENDATION

Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.

STAFF RECOMMENDATION

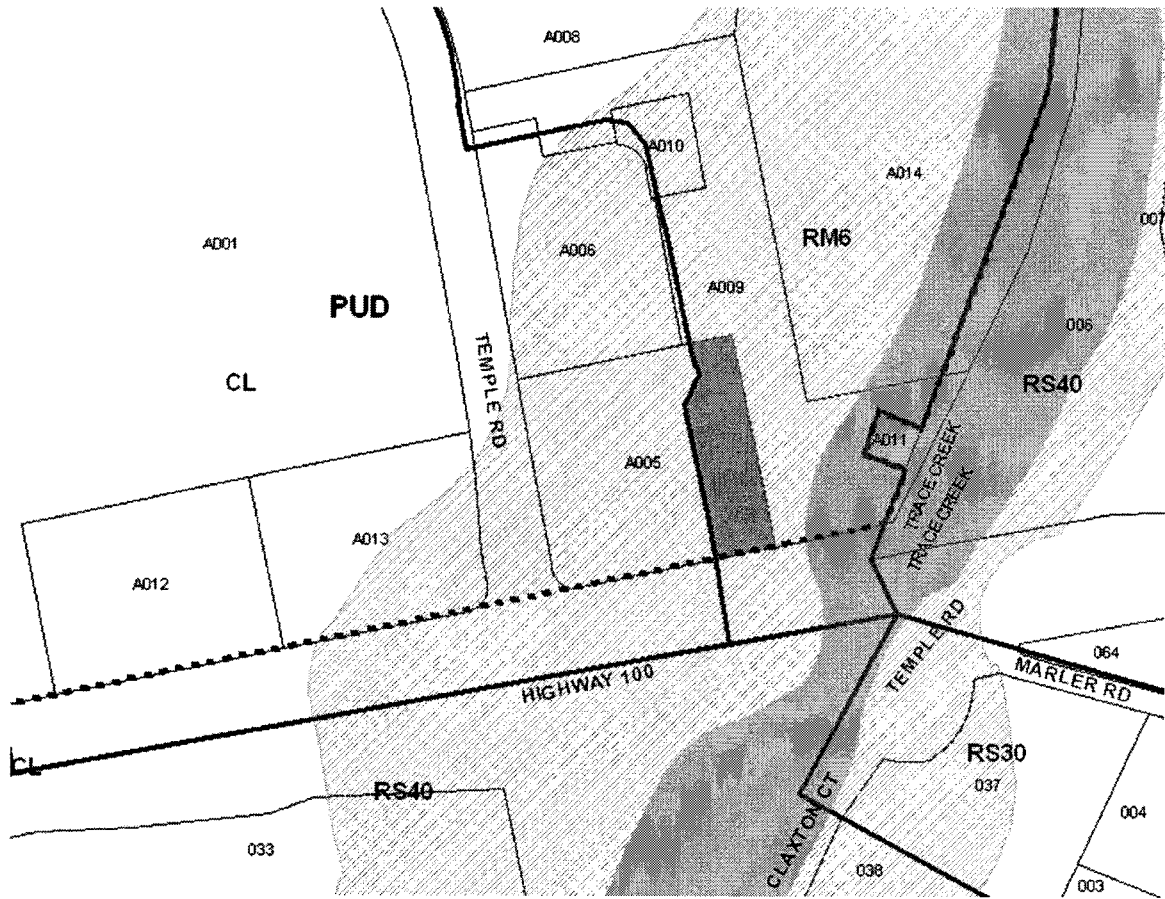
Staff recommends that the request be approved with conditions.

CONDITIONS

1. The gazebo shall be relocated out of the floodplain.
2. Identify required buffer yards as required by Zoning.
3. The total number of duplex lots along the extension of Woodmore Drive shall be limited to four, and shall be located near the front end of the extension. Four additional duplex lots may be provided on lots proposed on the west side of the stream. Duplex lots on the west side of the stream shall be located on corner lots within the R10 zoning district only. Final location of duplex lots shall be approved by planning staff with the final plat.
4. All Stormwater conditions listed above shall be addressed prior to final plat, and must be shown on the preliminary plat.
5. 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.

SEE NEXT PAGE

ZONING MAP AMENDMENTS



2008Z-015G-06
Map 156-09-A, Part of Parcel 005.00co
Subarea 6 (2003)
Council District 35 - Bo Mitchell



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2008Z-015G-06
None
35 - Mitchell
9 - Warden
Newton Oldacre McDonald, applicant, for Kimco
Harpeth Barclay L.P., owner

Staff Reviewer
Staff Recommendation

Logan
Approve

APPLICANT REQUEST

A request to change from Multi-Family Residential (RM6) to Commercial Limited (CL) zoning a portion of property located at 7996 Highway 100 in the Harpeth Village Planned Unit Development, at the northeast corner of Highway 100 and Temple Road (.32 acres).

Existing Zoning
RM6 District

RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre.

Proposed Zoning
CL District

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

**BELLEVUE
COMMUNITY PLAN**

Natural Conservation (NCO)

NCO policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. Low intensity community facility development and very low density residential development (not exceeding one dwelling unit per two acres) may be appropriate land uses.

Consistent with Policy?

In March 2005, the Planning Commission approved the original preliminary Harpeth Village PUD overlay plan and the associated zone change. Council subsequently approved the same plan and zone change (BL2005-610 and BL2005-611). In that plan, the proposed restaurant on this lot was located approximately 90 feet from Temple Road and was designed as a narrow, rectangular building. The building and parking were entirely within the proposed underlying CL zoning district.

In December 2006, the Planning Commission recommended disapproval of a proposed amendment to



Metro Planning Commission Meeting of 1/24/08

the PUD overlay, but the Metro Council approved the amendment as BL2007-1340. In that plan, the building was redesigned and reconfigured with a wider lot. The use changed to retail with a drive-thru and the building footprint increased from 4,200 square feet to 13,013 square feet. A zone change request to expand the base commercial zoning for larger building and parking was not submitted with the PUD amendment, so the zoning was not changed in 2006.

In November 2007, a PUD final site plan was submitted. The zoning line shown on the plan corresponds to the Council-adopted zoning. Parking spaces on the east side of the plan and the dumpster location are located within the current RM6 base zoning, but those uses are not permitted under RM6 zoning. This zone change request will allow the PUD final site plan to be approved as considered and approved by the Metro Council with the 2006 amendment.

RECENT REZONINGS

This property was part of the 34.60 acres rezoned in 2005 to accommodate the Harpeth Village PUD.

PUBLIC WORKS RECOMMENDATION

No Exception Taken

Typical 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)	0.32	9	3	26	3	3

*There are no dwelling units approved on this portion of the currently approved PUD plan.

Typical Uses in Proposed Zoning District: CL*

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (814)	0.32	N/A	11,157	515	17	49

*The currently approved PUD plan is approved for a retail use

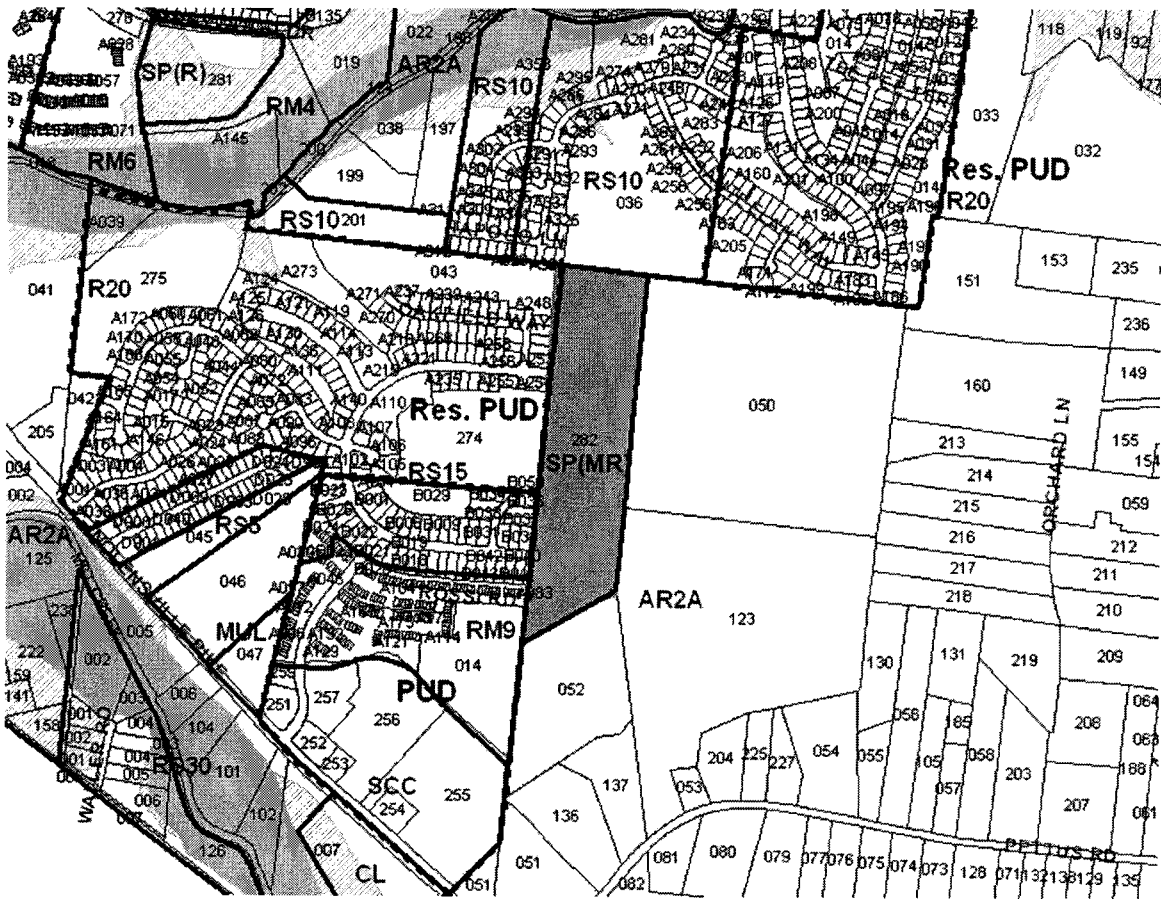
Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				489	14	46

STAFF RECOMMENDATION

Staff recommends approval.

**SPECIFIC PLAN
ZONING DISTRICTS**



2006SP-112G-12
 Concord Place (Amendment #1)
 Map 181-00, Parcel 282
 Subarea 12 (2004)
 Council District 31 - Parker Toler



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

Zone Change 2006SP-112G-12
Concord Place (Amendment #1)
BL2007-110
31- Toler
2 - Brannon
Centex Homes, applicant for BDP Development
Company LLC, owner

Staff Reviewer
Staff Recommendation

Sexton
Approve

APPLICANT REQUEST

A request to amend the Concord Place Specific Plan located at Pettus road (unnumbered), at the end of Autumn Crossing Way (28.89 acres), zoned Specific Plan-Mixed Residential (SP-MR), to modify conditions in Council Bill 2006-1286 related to the use of brick on front, side, and rear elevations of residential dwelling units.

History

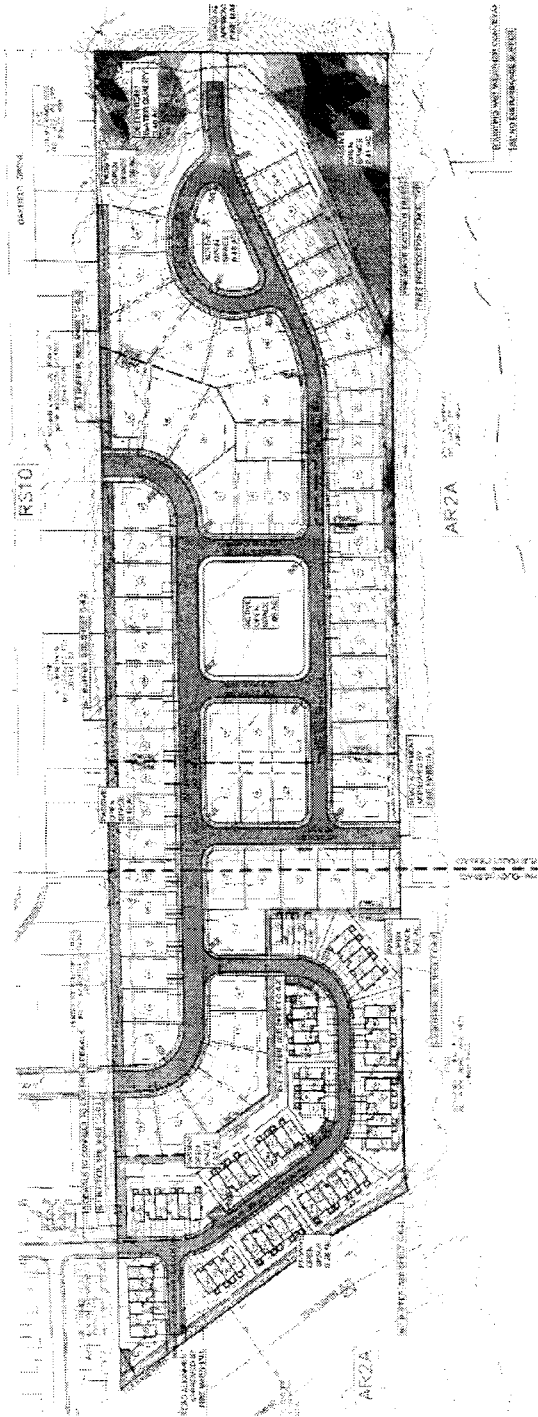
On December 14, 2006, the Metro Planning Commission recommended approval of a change in zoning from AR2A to Specific Plan for the Concord Place SP. The approved SP plan consists of 69 single-family lots 64 multi-family units.

On January 17, 2007, Metro Council approved the Concord Place SP (BL2006-1286) and included the following additional conditions of approval in Section 3 of the ordinance:

- 6) Brick shall be used on 100% of the front façade of the buildings, excluding non-structural architectural features such as dormers, porch gables.
- 7) Building walls at all side elevations shall be brick on the first floor.
- 8) Homes built on transition lots, as identified on the site plan, shall have 100% brick fronts excluding non-structural architectural features such as dormers, porch gables, etc. Building walls at all side elevations that are greater than one story shall have brick to the top of the second floor excluding gables.

Amendment

An ordinance to amend the Concord Place SP (BL2007-110) has now been introduced at Council. The amendment proposed to replace paragraphs 6, 7, and 8





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of Section 3 of Ordinance No. BL2006-1286 with the following language:

- 6) "Brick, stone, or cultured stone shall be used on 100% of the front façade of the buildings, excluding non-structural, architectural features such as dormers, porch gables, etc.
- 7) Building walls at side elevations of single-family detached homes shall be brick, stone or cultured stone on the first floor. This requirement shall not apply to any structures other than single-family detached.
- 8) Single-family homes built on transition lots, as identified on the site plan, shall have 100% brick, stone, or cultured stone on the front façade of the building, excluding non-structural architectural features such as dormers, porch gables, etc. Building walls at all side elevations that are greater than one story shall have brick, stone or cultured stone in the top of the second floor, excluding gables. There is no requirement for brick, stone or cultured stone on the rear."

The existing conditions requires brick to be used on the front facade of buildings and requires brick on the first floor of all side elevations including townhomes. The amendment to the existing conditions will allow for the use of brick, stone or cultured stone to be used on the front façade of buildings and requires brick, stone or cultured stone to be used on the first floor of side elevations of only the single-family homes. Single-family homes built on transition lots, as identified on the site plan, will be required to have brick, stone or cultured stone on all side elevations.

New Section 5

The applicant has also included a request application to amend the pending ordinance, BL2007-110 to add the following new section:

The appropriate representatives of the Planning Department and the appropriate representatives of the Codes Department are authorized and directed to approve all required Metro permits consistent with the terms of this amended ordinance.

Staff recommends that this section not be added to the Ordinance No. BL2007-110. It is unnecessary and



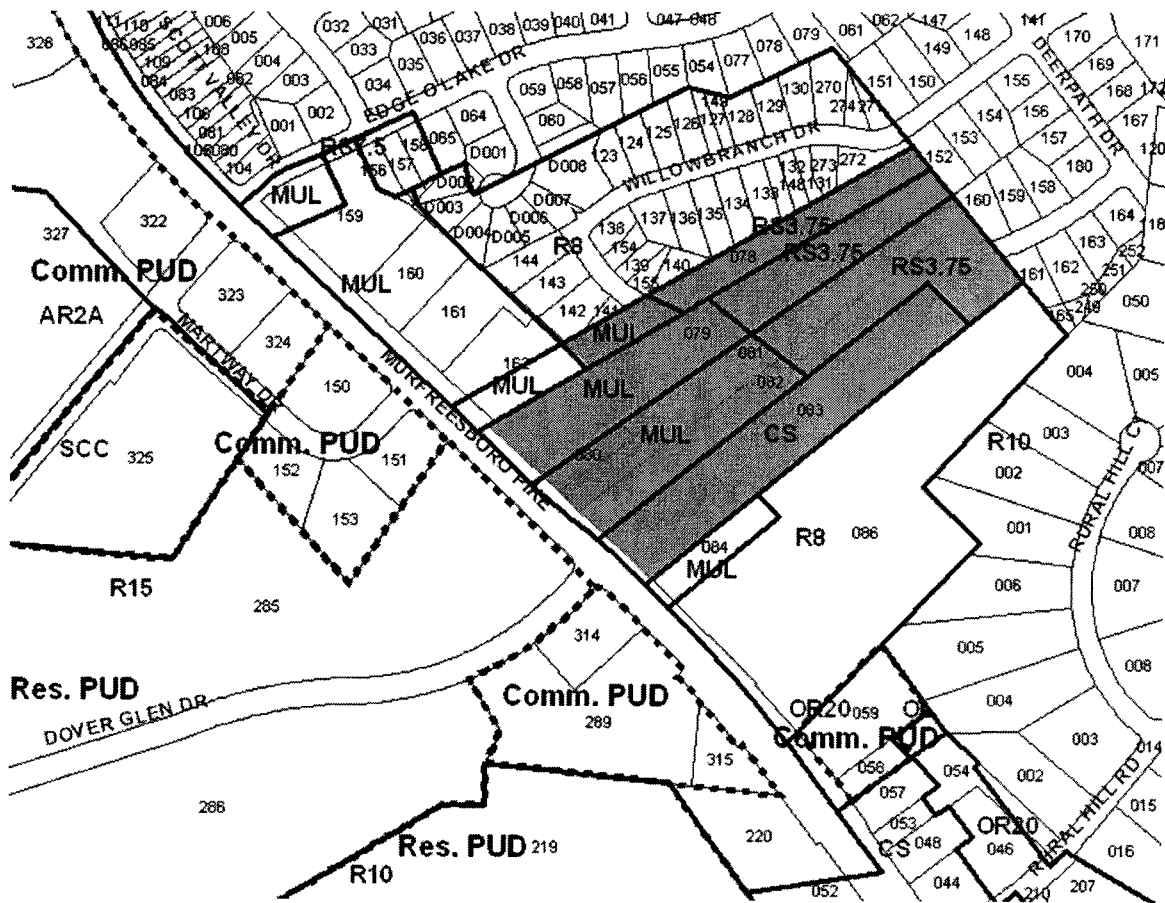
Metro Planning Commission Meeting of 1/24/08

possibly confusing because the Zoning Code already authorizes the Planning and Codes Department staff to approve any permit that is consistent with the terms of an adopted SP.

STAFF RECOMMENDATION

Staff recommends approval of the request to amend conditions 6, 7, and 8 of the Concord Place SP.

CONCEPT PLANS



2006S-008G-13
 Shoppes Of Edge-O-Lake, Sec. 2
 Map 149-00, Parcels 078, 079, 080, 081, 082, 083
 Subarea 13 (2003)
 Council District 29 - Vivian Wilhoite



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2006S-008G-13
Shoppes of Edge O Lake, Sec. 2
29 - Wilhoite
6 - Johnson
Marshall Development, owner/developer, Cherry Land
Surveying, surveyor

Staff Reviewer
Staff Recommendation

Jones
Approve

APPLICANT REQUEST
Preliminary Plat Extension

A request to extend the approval of the preliminary plat for 14 lots, located on the northeast corner of Edge-O-Lake Drive and Murfreesboro Pike (10.65 acres), zoned Commercial Service (CS) and Mixed Use Limited (MUL).

APPLICABLE SUBDIVISION
REGULATION

This subdivision was approved prior to the March 9, 2006, effective date of the new Subdivision Regulations. Section 3-3.5 of those regulations stated:

3-3.5 Effective Period of Preliminary Approval

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

Extension Request

The preliminary plat was approved by the Planning Commission on January 12, 2006, for the reasons stated in the original staff report, which is included below. The plat expired on January 12, 2008. The applicant submitted a letter dated December 26, 2007, requesting to extend the plat for the Shoppes of Edge O Lake, Section 2 for 90 days stating a delay in construction of the infrastructure due to necessary legal action to remove and relocate a cemetery on the site. The applicant contends that the legal action required public notice related to relocation of the



WILLOW BRANCH DRIVE

LANEVILLE DRIVE

LYNDON PARK DRIVE

GORGES PLACE

TOWNVIEW PLACE

THE SHIPPERS OF EDGEWOOD LAKE

MURFREESBORO PIKE (US HIGHWAY 70S AND 41, STATE ROUTE 1)

TOWER HILL DRIVE

JACKSONVILLE DRIVE

LYNDON PARK DRIVE

GORGES PLACE

TOWNVIEW PLACE

JACKSONVILLE DRIVE

TOWER HILL DRIVE

LANEVILLE DRIVE

WILLOW BRANCH DRIVE



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cemetery and a mandated waiting period for any response to the public notice.

The applicant has also provided documentation and invoices of work completed on this portion of the Edge O Lake Meadows development. Based on the information provided, the graves have been removed and relocated, the water and sewer lines have been installed and inspections have been completed, stormwater and erosion controls are 95 percent complete, and most of the site work and grading has been performed.

January 12, 2006, Staff Report Subdivision Details

The proposed plan for 14 commercial lots (and one lot for the relocated cemetery) is consistent with the concept plan that was presented to the Planning Department in 2004, when the adjacent properties to the north were given preliminary plat approval for 16 lots by the Planning Commission. The plan also provides for future connections to residential to the east. A separate plat for the adjacent residential area was submitted, but was requested for deferral by the applicant, so it is not on this agenda.

Stub-Streets

This plat ties into the existing stub street at Lakevilla Drive, and provides for a future stub street that will tie into Willowbranch Drive. The portion of Lakevilla Drive within this plat will include commercial development, as indicated by the developer.

PREVIOUS CONDITIONS OF APPROVAL (01/12/2006)

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006S-008G-13 is APPROVED WITH CONDITIONS. (7-0)

Conditions of Approval:

1. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any necessary bonds to secure the satisfactory construction, installation, and dedication of all required public improvements.
2. All conditions, as recommended by Public Works, above, must be completed, satisfied, or bonded prior to final plat recordation.
3. All conditions, recommended by Metro Stormwater shall be completed prior to final plat approval.
4. Prior to final plat approval, the State must approve the relocated cemetery.



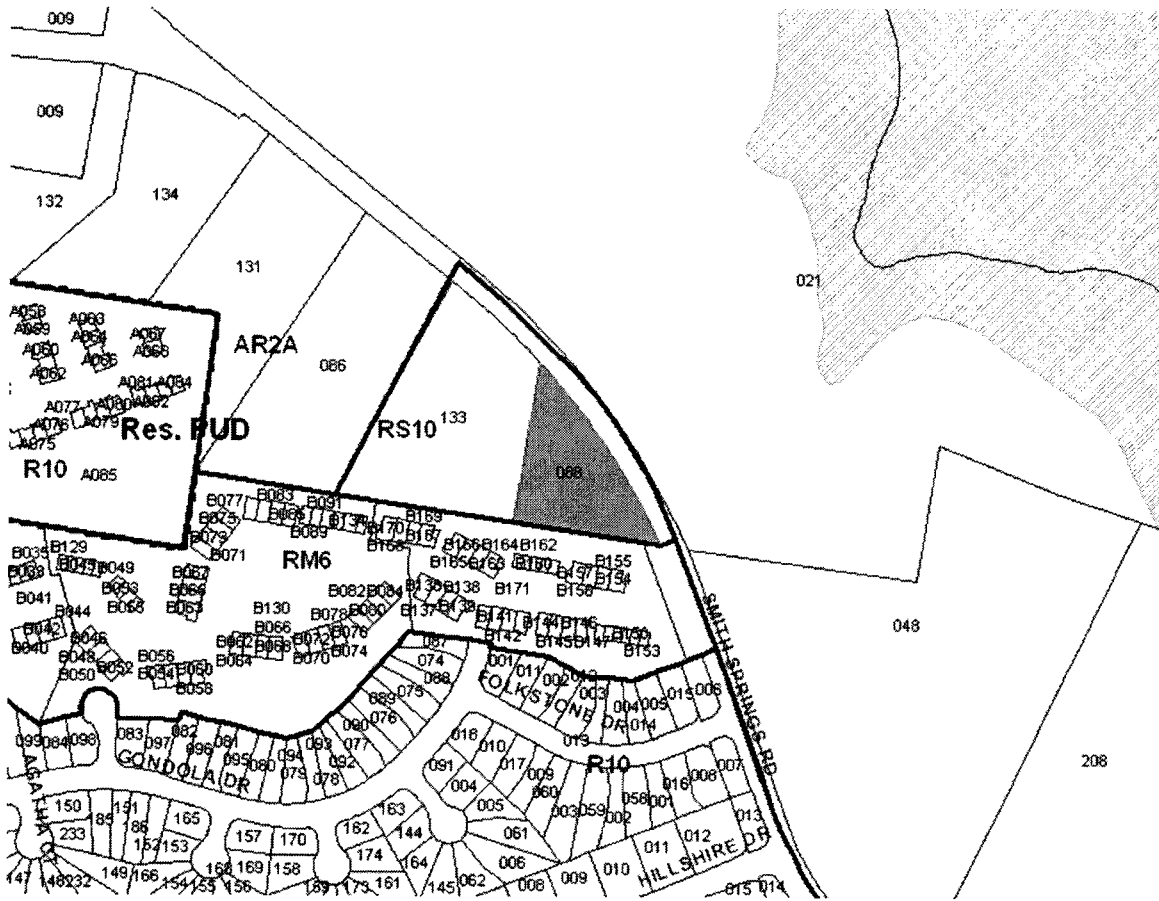
Metro Planning Commission Meeting of 1/24/08

5. Parcel Number 141 on Map 149-03 (owned by Adams Brothers Development Company) must be excluded from this plat, or specifically listed on the plat as being part of this plat. If it is included, the owners of parcel 141 must submit a letter indicating the agree to be made part of this plat.”

Staff Recommendation

Staff recommends a six month extension to the preliminary plat for the Shoppes of Edge O Lake, Section 2 since a large portion of the work has been completed and since there were delays related to the relocation of the cemetery.

SEE NEXT PAGE



2008S-021U-13
 Smith Springs Cove
 Map 136-00, Parcel 088.01
 Subarea 13 (2003)
 Council District 33 - Robert Duvall



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2008S-021U-13
Smith Springs Cove
33 – Duvall
6 - Johnson
John F. Pratt, owner, Littlejohn Engineering Associates Inc., surveyor

Staff Reviewer
Staff Recommendation

Jones
Approve with conditions

APPLICANT REQUEST
Concept Plan

A request for concept plan approval to create 5 lots on property located at Smith Springs Road (unnumbered), approximately 475 feet north of Folkstone Drive (1.44 acres).

ZONING
RS10 District

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

SUBDIVISION DETAILS

The concept plan for Smith Springs Cove proposes to create five single-family lots. The lot sizes range from 11,594 square feet to 15,132 square feet. The site is presently vacant with property frontage along Smith Springs Road.

Access

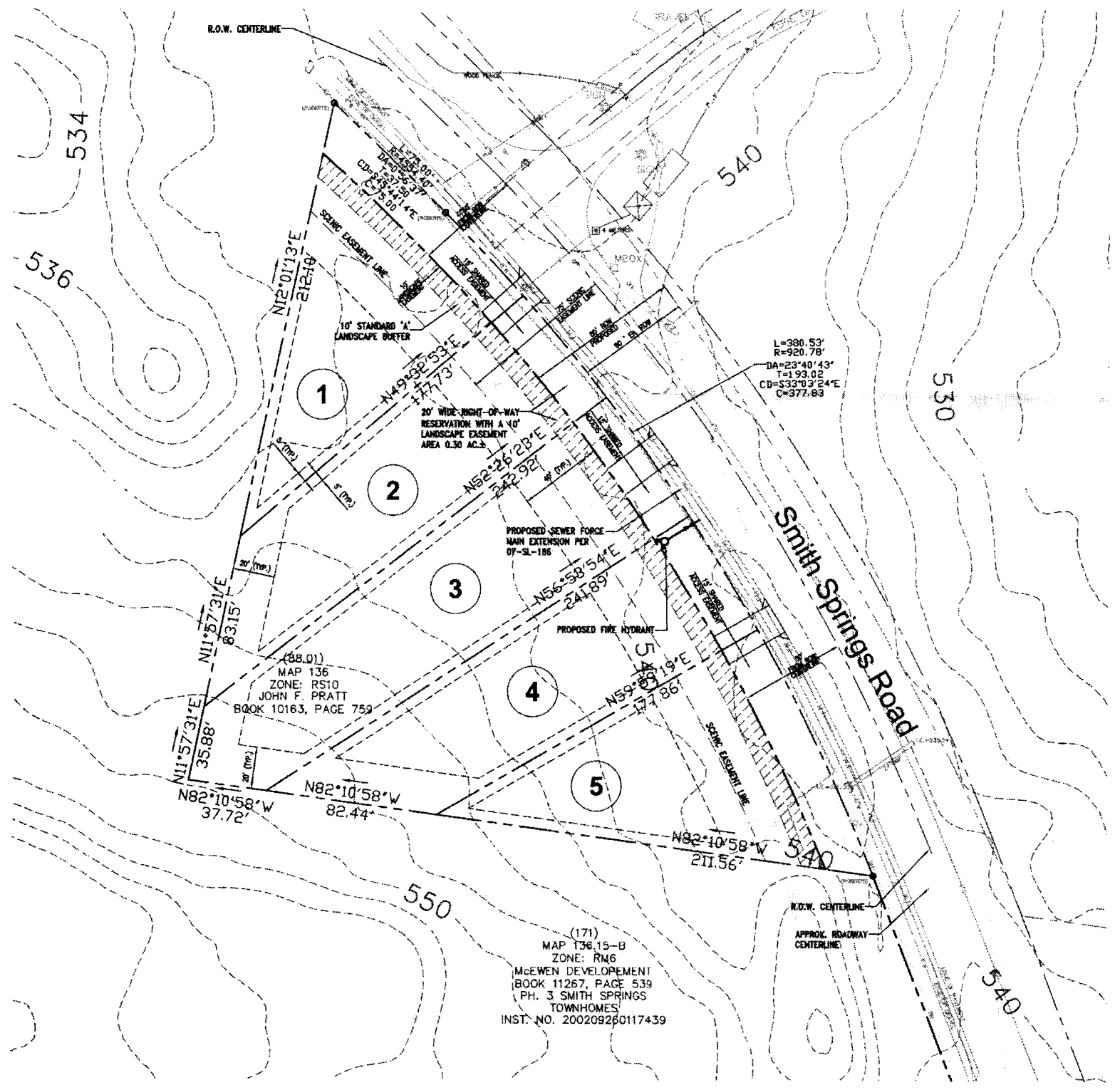
The site has direct access to Smith Springs Road, which is classified as a scenic arterial road. Section 3-4.4 of the Metro Subdivision Regulations stipulates that when property is divided along an existing arterial or collector street combined driveways or a private access drive must be provided in order to limit driveway entrances and potential traffic hazards. A 15 foot shared access easement is proposed for lots 1 and 2, as well as lots 4 and 5. Lot 3 will have an individual access.

Landscaping

The classification of Smith Springs Road as a scenic arterial requires a standard A landscape buffer. The plan includes a 10 foot standard "A" landscape buffer.

Variances

The applicant has requested two variances from the Subdivision Regulations. The Planning Commission may grant a variance from the subdivision regulations provided the following criteria are met:



R.O.W. CENTERLINE

L=380.53'
R=920.76'
DA=23°40'43"
T=193.02
CD=533°09'24"E
C=977.83

1

2

3

4

5

(88.01)
MAP 136
ZONE: RS10
JOHN F. PRATT
BOOK 10163, PAGE 759

(171)
MAP 136.15-B
ZONE: RN6
MGEWEN DEVELOPEMENT
BOOK 11267, PAGE 539
PH. 3 SMITH SPRINGS
TOWNHOMES
INST. NO. 200209260117439

Smith Springs Road

R.O.W. CENTERLINE
APPROX. ROADWAY CENTERLINE

N11°57'31"E
83.15'
N11°57'31"E
35.88'
N82°10'58"W
37.72'

N82°10'58"W
82.44'

N56°58'54"E
241.89'
N59°09'19"E
137.86'

N82°10'58"W
211.56'

N12°01'13"E
212.10'

N49°32'53"E
177.73'

N52°26'28"E
222.92'

SCENIC EASEMENT LINE

10' STANDARD 'A' LANDSCAPE BUFFER

20' WIDE RIGHT-OF-WAY RESERVATION WITH A 10' LANDSCAPE EASEMENT AREA 0.30 AC.±

PROPOSED SEWER FORCE MAIN EXTENSION PER 07-SL-186

PROPOSED FIRE HYDRANT

SCENIC EASEMENT LINE

534

536

540

530

550

540

540



Metro Planning Commission Meeting of 1/24/08

- The granting of this variance will not be detrimental to the public safety, health, or welfare in the neighborhood in which the property is located.
- The conditions upon which the request for this variance is based are unique to the subject area and are not applicable to other surrounding properties.
- Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out.
- The variance shall not in any manner vary from the provisions of the adopted General Plan, including its constituent elements, the Major Street Plan, or the Zoning Code for Metropolitan Nashville and Davidson County.

Sidewalks

Section 3-8.2 of the Metro Subdivision Regulations requires sidewalks on existing streets fronting the property that is to be subdivided. The applicant is requesting a variance to this regulation citing the disruption of the existing drainage pattern along Smith Springs Road. The applicant further states that the drainage along Smith Springs Road is best achieved with roadside ditches as currently designed and the construction of a sidewalk would interfere with the design by requiring additional grading and tree disturbance.

This site falls within the Urban Services district, where sidewalks are required by the Subdivision Regulations along existing roads. The applicant's justification for the sidewalk variance does not meet the requirements for a variance. Roadside ditches exist along many roads in Davidson County. The conditions upon which the variance is requested are not unique to this property. As a condition of approval, sidewalks shall be installed within the existing right of way along Smith Springs Road.

Setback line

In order to preserve the viewshed along scenic routes, Section 3-10.5.b of the Metro Subdivision Regulations



Metro Planning Commission Meeting of 1/24/08

requires that the setbacks along such designated roads be platted by measuring the applicable zone district required yard from the scenic landscape easement line. The applicant is requesting a variance to this section of the regulations, stating that the 40 foot setback from the scenic easement takes away valuable building area, particularly from lots 1 and 5 where the proposed triangular shape of each lot limits the buildable area. The applicant states that the configuration of the lots will likely require specialized floor plans or a reduction in the number of buildable lots.

In evaluating the variance to the setback line measurement, there are no physical characteristics or topographic conditions that present challenges to developing the site. Even with the 40 foot setback line measured from the scenic easement, the site can be configured to get the maximum number of lots possible. Staff recommends disapproval of the variance request to avoid the scenic route setback requirements. As a condition of approval, the setback line shall be measured from the scenic landscape easement line.

The granting of a variance must be based solely on extraordinary hardships that result from strict compliance with the Subdivision Regulations. The applicant, however, has not identified any particular unique conditions or characteristics associated with this property that create an undue hardship. To ensure continuous harmonious development along Smith Springs Road, it is important to establish a precedent of adhering to the sidewalk and setback line requirements at this site, so that any future development will comply with these regulations, and the need for similar variance requests will be eliminated.

**PUBLIC WORKS
RECOMMENDATION**

No Exception Taken

**STORMWATER
RECOMMENDATION**

Approved. This project will ultimately require an approved Storm Water Grading Plan prior to Final Plat Approval.

STAFF RECOMMENDATION

Staff recommends approval of the concept plan. The requests for a variance to the sidewalk requirement and setback line measure are not supported by staff. The



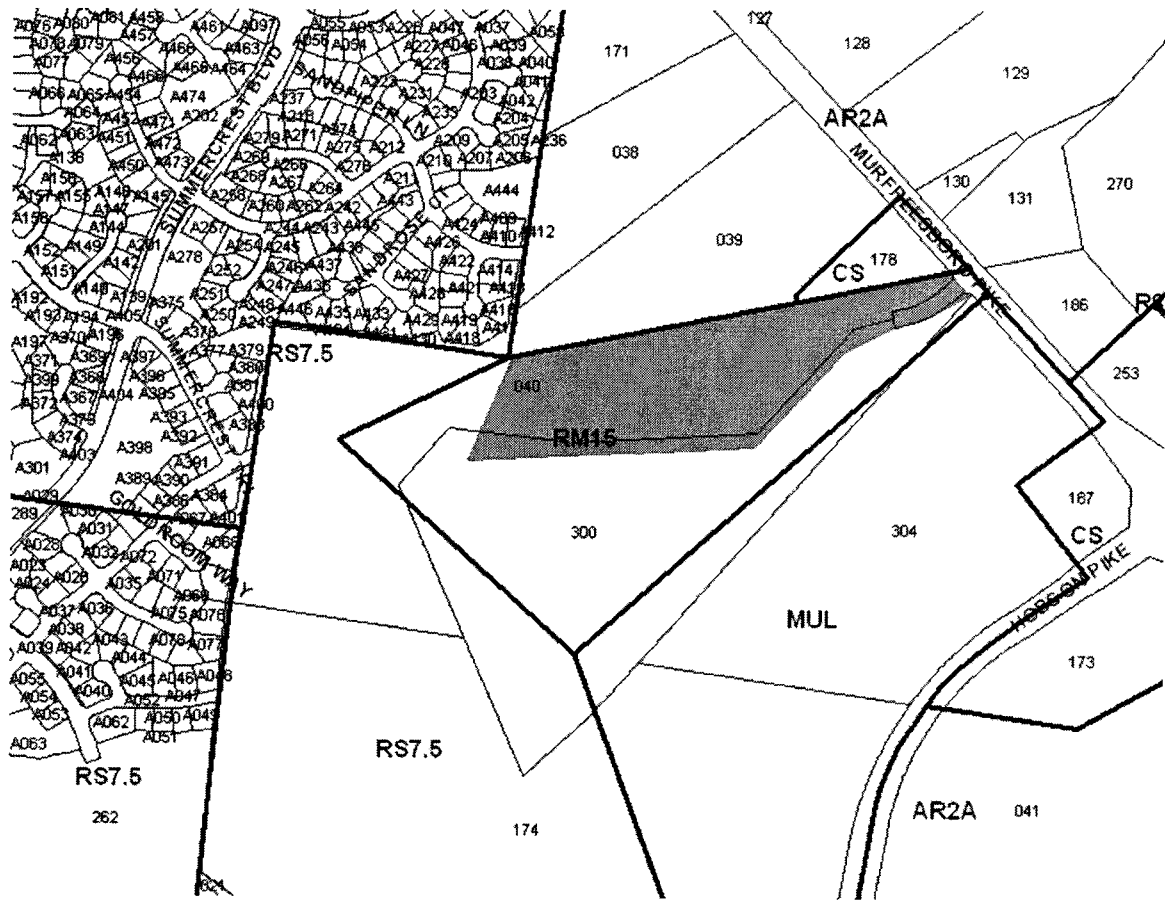
Metro Planning Commission Meeting of 1/24/08

variances are not supported by a showing of hardship, as set out in the subdivision regulations. To allow a variance to the regulations would set a precedent in the area for any future development to also request a variance to the sidewalk and setback line measurement.

CONDITIONS

Within 30 days after the date of approval by the Planning Commission, submit a revised concept plan that complies with the following conditions:

1. Show a sidewalk within the existing right-of-way along Smith Springs Road.
2. Show the setback line measured from the scenic landscape easement line.
3. Pursuant to 2-3.4.e of the Metro Subdivision Regulations, if this application receives conditional approval from the Planning Commission, that approval shall expire unless revised plans showing the conditions on the face of the plans are submitted prior to any application for a final plat, and in no event more than 30 days after the effective date of the Commission's conditional approval vote.



2008S-024U-13
 Mountain Springs Drive, Ph. 2
 Map 164-00, Part of Parcel 040, 300
 Subarea 13 (2003)
 Council District 32 - Sam Coleman



Project No.
Project Name
Council District
School District
Requested By

Subdivision 2008S-024U-13
Mountain Springs Drive, Phase 2
32- Coleman
6- Johnson
Belz-McDowell Properties Inc, and Continental 193
Fund LLC, owners, Civil Site Design Group PLLC,
surveyor

Staff Reviewer
Staff Recommendation

Logan
Approve with conditions

APPLICANT REQUEST
Concept Plan

A request for concept plan approval to dedicate public right-of-way and create two lots on a portion of properties located at 3721 Mountain Springs Drive and Murfreesboro Pike (unnumbered), approximately 1,140 feet north of Hobson Pike (12.3 acres), zoned Multi-Family Residential (RM15).

ZONING
RM15 District

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

PLAN DETAILS

The plan proposes to create two lots and extend Mountain Springs Drive. Mountain Springs Drive is shown in the Antioch/Priest Lake Community Plan as a required street connection. Mountain Springs Drive, Phase 1 was dedicated in April 2007.

PUBLIC WORKS
RECOMMENDATION

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

A TIS may be required at time of development.

Provide cross access easement to proposed roadway from lot 178 (CS zoning).

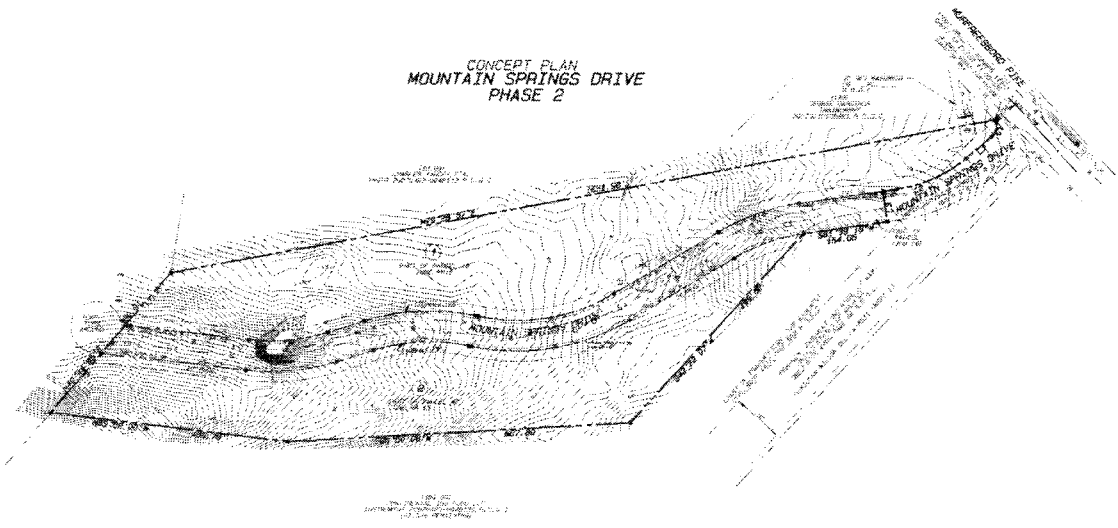
STORMWATER
RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONCEPT PLAN
MOUNTAIN SPRINGS DRIVE
PHASE 2





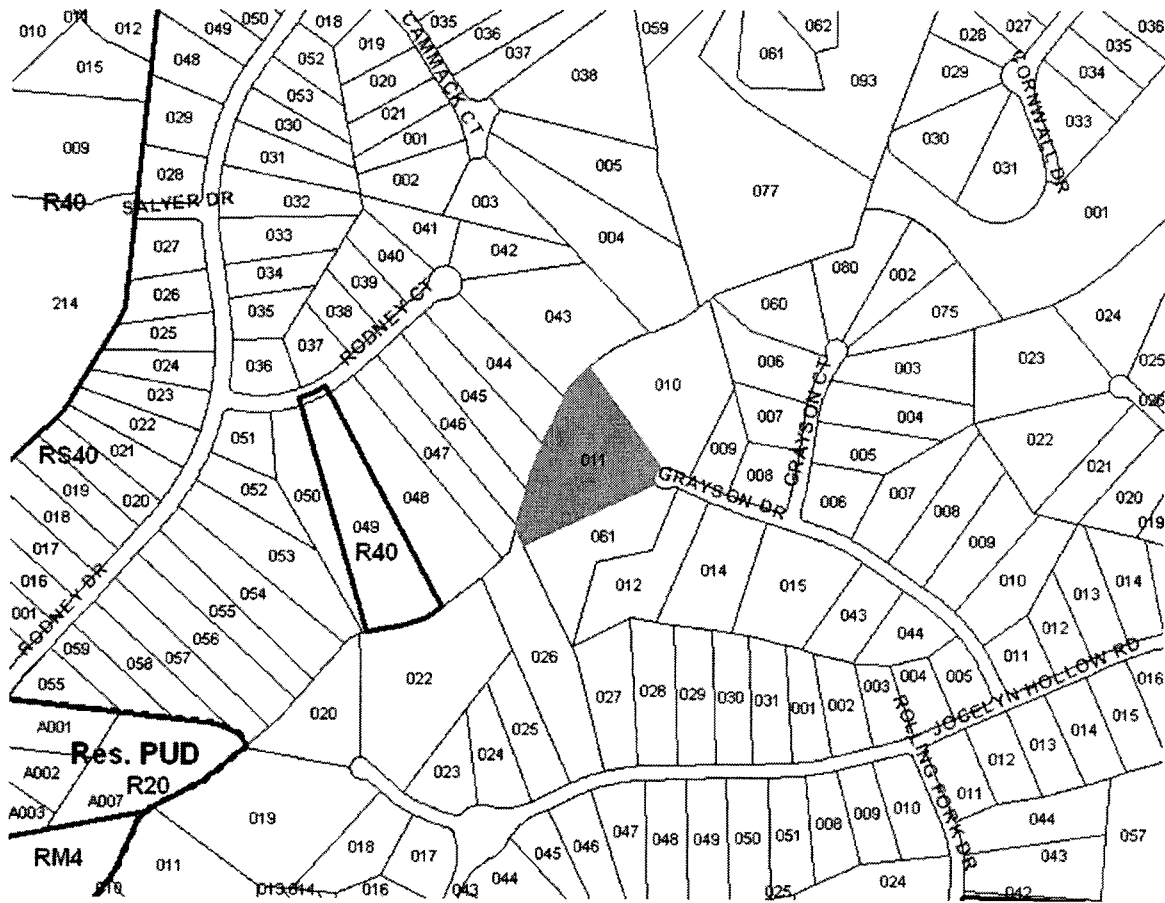
Metro Planning Commission Meeting of 1/24/08

CONDITIONS

1. Within 30 days after the date of approval by the Planning Commission, submit a revised concept plan that complies with the following conditions:
 - Provide cross access easement to proposed roadway from lot 178 (CS zoning).
2. 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.

SEE NEXT PAGE

FINAL PLATS



2008S-023U-07

West Meade Farms, Resub. Lot 816, Sec. 9

Map 115-13, Parcel 011

Subarea 7 (2000)

Council District 23 - Emily Evans



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2008S-023U-07
West Meade Farms, Resub Lot 816, Sec. 9
23 - Evans
9 - Warden
Helen Marie Scott, owner, Campbell, McRae & Associates Inc., surveyor

Staff Reviewer
Staff Recommendation

Logan
Disapprove

APPLICANT REQUEST

A request for final plat approval to create 2 lots on property located at 439 Grayson Drive, approximately 520 feet west of Grayson Court (4.04 acres), zoned Single-Family Residential (RS40).

ZONING
RS40 District

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

PLAN DETAILS

The applicant proposes to create two single-family lots at the end of a permanent dead end street from an existing lot with steep slopes and problem soils.

Lot Comparability

Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. Lot comparability is not required for the frontage of the property because it is at the end of a permanent dead end street with more than 35 feet of street frontage.

Lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street:	Requirements:	
	Minimum lot size (sq.ft):	Minimum lot frontage (linear ft.):
Grayson Drive	84,289	N/A

(182)

VICKI BRYANT
INSTRUMENT
#20056411-0039296
R.D.C. TN
MAP 115-12, PARCEL 44
A.D.C. TN

(815)

LLOYD RAY, JR.
BOOK 7564, PAGE 899
R.D.C. TN
MAP 115-12, PARCEL 19
A.D.C. TN

(2)

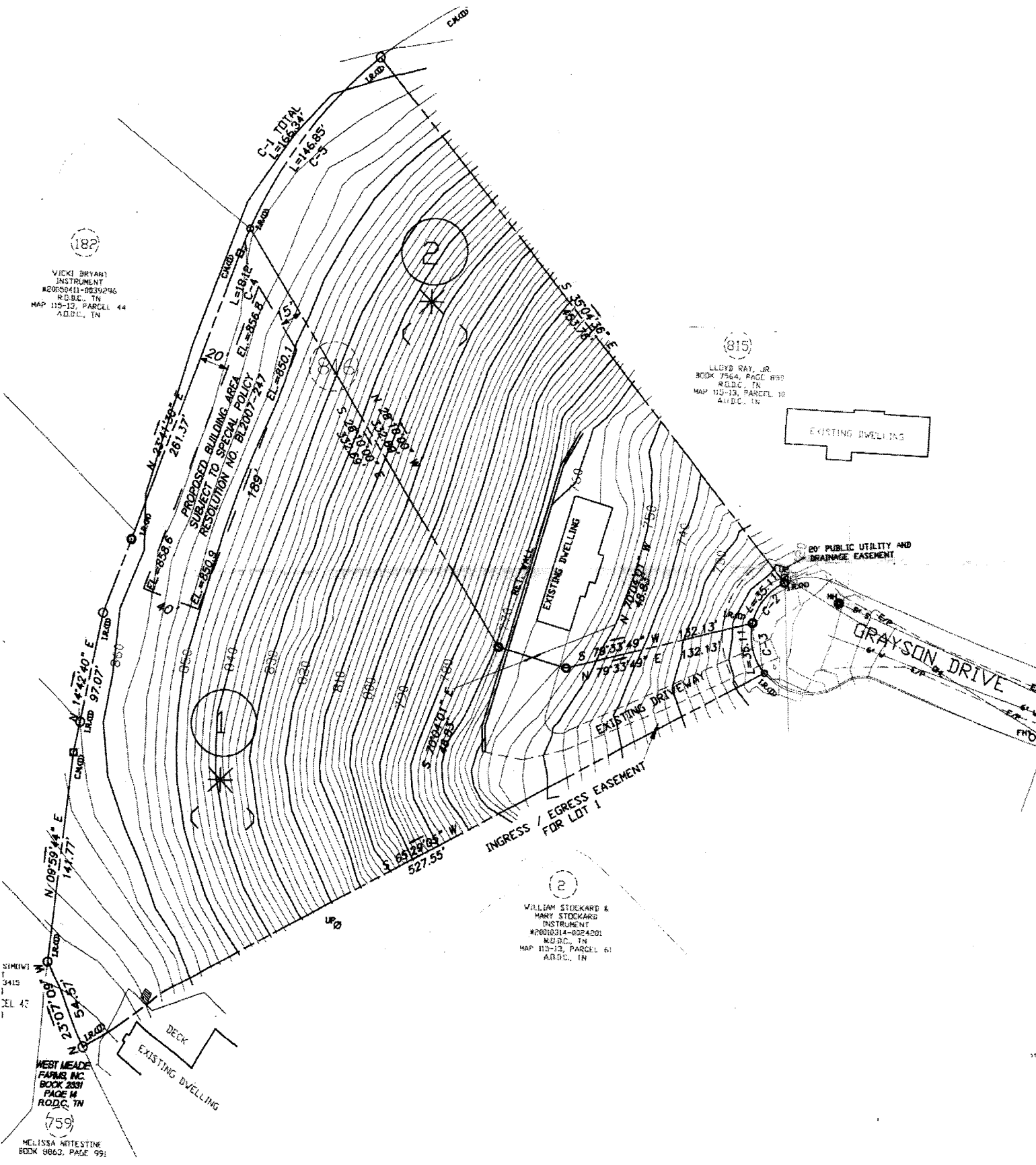
WILLIAM STOCKARD &
MARY STOCKARD
INSTRUMENT
#0010314-0024201
R.D.C. TN
MAP 115-12, PARCEL 61
A.D.C. TN

SIMON
T 3419
I
CEL 42

WEST MEADE
FARMS INC.
BOOK 2851
PAGE 14
R.D.C. TN

(759)

MELISSA WITESTINE
BOOK 8863, PAGE 991





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As proposed, the two new lots have the following areas:

- Lot 1: 107,608 Sq. Ft., (2.47Acres)
- Lot 2: 68,717 Sq. Ft., (1.58Acres)

Lot Comparability Exception

A lot comparability exception can be granted for lots that do not meet the minimum requirements of the lot comparability analysis (is smaller in lot size) if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

Staff does not recommend granting an exception to lot comparability for this proposed plat. While the proposed lots may be consistent with density guidelines for the Natural Conservation and Residential Low policies, as discussed below, they do not meet special policies for this area recently adopted by the Planning Commission. Therefore, the request is not consistent with the adopted land use policies for this property:

The proposed lots are consistent with the density guidelines for the adopted land use policies that apply to the property. The lots are located in the Natural Conservation land use policy, with approximately 800 square feet of the property located in the Residential Low Density land use policy. NCO policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. Low intensity community facility development and very low density residential development (not exceeding one dwelling unit per two acres) may be appropriate land uses. RL policy is intended to conserve large areas of established, low-density (one to two dwelling units per acre) residential development.

Special Policies

While the proposed lots are consistent with the recommended density of the NCO and RL policies, they are not consistent with the Special Policies that were adopted as an amendment to the Bellevue and West Nashville Community Plans by the Metro Planning Commission on July 26, 2007. The goals of these special policies are to “preserve major ridgelines and view sheds for the protection of natural wildlife corridors, vegetation, and scenic views” and to “minimize the physical and aesthetic impacts of excessive grading of hillsides and slopes by promoting



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the residential design that blends with the surrounding natural environment.” The lot which is requested to be subdivided contains part of the major ridgeline and part of View Shed Area 2. It also contains steep slopes, which is defined as an area containing a slope of 20 percent or greater and sensitive soils. The applicant was asked to provide information to demonstrate that the two proposed lots could comply with the special policies. Staff has not received any additional information.

The western portion of the site is within the major ridgeline and View Shed Area 2. The area in the middle of the lot, adjacent to the existing driveway and proposed shared access point, is Bodine-Sulfura (BsE), a problem soil identified by the special policy and the Metro Zoning Ordinance and contains a slope of over 40%. The applicant has submitted a critical lot plan that shows the proposed building site for Lot 1 on top of the ridge line and proposed driveway, which is not contained on Lot 1. The applicant has not submitted a grading plan, as requested, to show that that the proposed building site and driveway comply with the development guidelines in the recent plan amendment.

Variance for Irregular Lot Line

Section 3-4.2.a of the Subdivision Regulations requires regular lot lines. The lot line between the two proposed lots is irregular. The applicant indicated that this was necessary in order to preserve the existing structure. The plan that has been submitted shows the proposed structure above the existing structure on a slope of approximately 40% that contains problem soils. Staff has grave concerns about placing a new home in this location.

Suitability of the Land

Section 3-3.1 of the Subdivision Regulations states that land which the Planning Commission finds to be unsuitable for subdivision or development “shall not be subdivided or developed unless adequate methods to solve the problems created by the unsuitable land conditions are formulated by the developer and approved by the Planning Commission.” Steep slopes and problem soils are two of the features that may deem land unsuitable.

**PUBLIC WORKS
RECOMMENDATION**

No Exceptions Taken



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STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

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>)

All fire hydrants shall provide a minimum of 1000 gpm @ 20 psi. If so, all single-family residences up to 3600 sq. ft. are pre-approved.

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.

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

STAFF RECOMMENDATION

This lot contains steep slopes, problem soils, and a portion of the major ridgeline and View Shed Area 2, which are identified by the special policies, Subdivision Regulations, and Metro Zoning Ordinance as conditions that are hostile to development. Therefore, staff recommends disapproval of the plat application.

CONDITIONS (if approved)

1. Prior to recording the final plat, submit a grading plan identifying and preserving trees 8 inches in diameter, in compliance with the special policies, in order to maintain slope stability and prevent unnecessary erosion.
2. Prior to recording the final plat, submit a critical lot plan that complies with the development guidelines in the special policies.
3. Prior to recording the final plat, submit a geotechnical report that complies with the problem

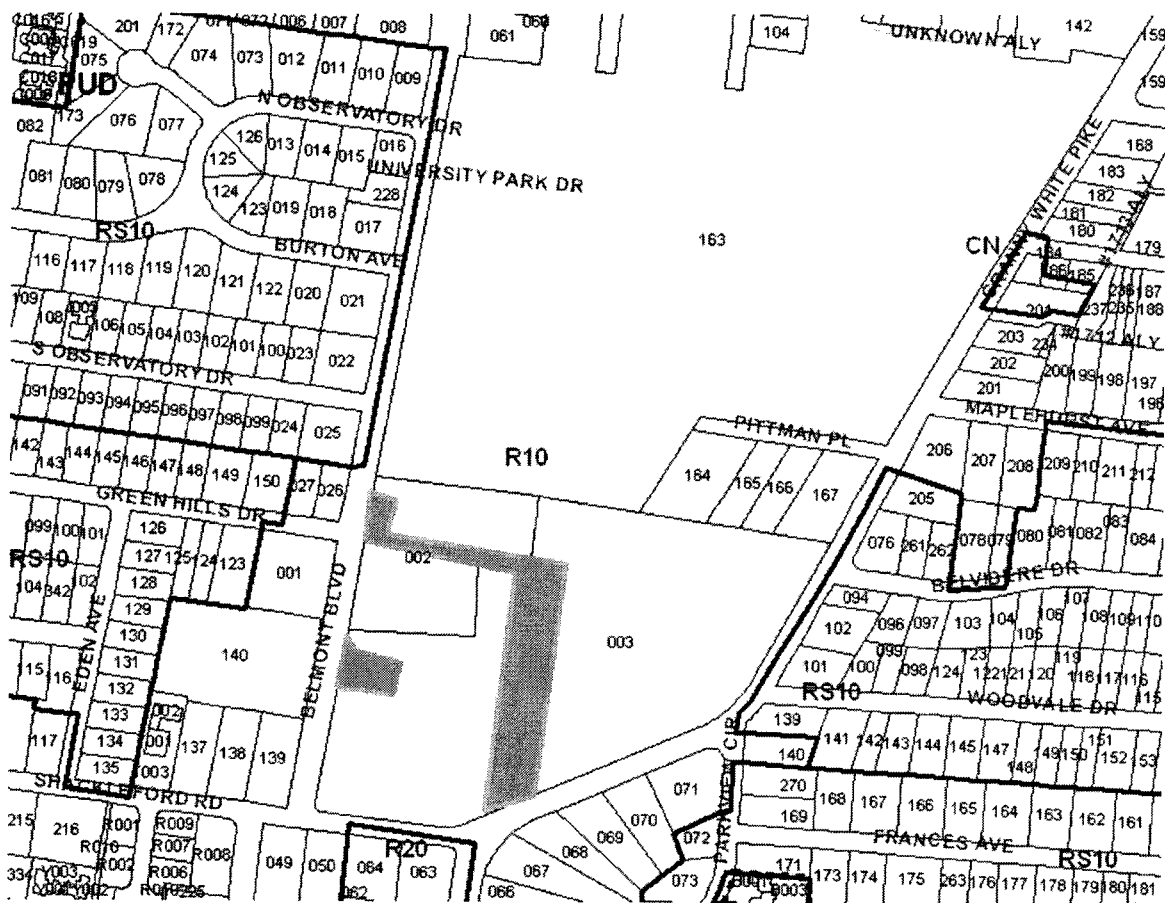


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soil requirements of Section 17.28.050 of the Zoning Ordinance.

4. Submit a revised plat with the following corrections:
 - Add parcel numbers.
 - Correct square footage calculations for lots.
 - Correct label for ingress/egress easement.
 - Add subdivision number.

**REVISIONS
and FINAL SITE PLANS**



2006IN-001U-10

David Lipscomb University I.O., (Intermodal Facility Parking Garage)

Map 131-04, Parcels 002, 003

Subarea 10 (2005)

Council District 25 - Sean Mcguire



**Project No.
Project Name**

**Institutional Overlay 2006IN-001U-10
David Lipscomb University
Intermodal Facility Parking Garage**

**Council District
School Board District
Requested By**

25 - McGuire
8 - Fox
Gresham, Smith & Partners, applicant, for David
Lipscomb University, owner

**Staff Reviewer
Staff Recommendation**

Logan
Approve with conditions

APPLICANT REQUEST

**Revise Master Plan and Final
Site Plan**

A request to revise a portion of the preliminary master plan and for final site plan approval for a portion of the David Lipscomb University Institutional Overlay district for properties located at 4108 and 4110 Belmont Boulevard, approximately 540 feet north of Shackelford Road (19.49 acres), zoned One and Two-Family Residential (R10), to permit a bus turnaround and bus shelter and final site plan approval to permit a 154,500 square foot, 3 level parking garage with 306 parking spaces and tennis courts and restroom facilities on the top level.

**Zoning Overlay
IO District**

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

**GREEN HILLS/MIDTOWN
COMMUNITY PLAN**

Major Institutional (MI)

MI is intended to apply to existing areas with major institutional activities that are to be conserved, and to



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

Consistent with Policy?

Yes. The IO district is appropriate within the Major Institutional policy.

PLAN DETAILS

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

Preliminary Master Plan

This plan proposes to revise the previously approved master plan to add a bus turnaround and bus shelter adjacent to the softball field pressbox. Both the turnaround and the shelter have been approved by the Nashville Metropolitan Transit Authority. Staff considers this a minor change that will increase access to public transportation for students at Lipscomb University and improve traffic circulation in the neighborhood.

Final Site Plan

The final site plan approval applies to the bus turnaround and bus shelter described above, the relocation of the driveway across from Green Hills Drive as shown on the master plan, and the parking garage/tennis court facility east of the softball field. The parking garage is approved for a three level deck with 440 parking spaces and three tennis courts on the top level. The proposed final site plan includes a two level deck with 306 parking spaces. There are three tennis courts and a restroom/locker room facility on the top level.

Temporary Uses

Staff recognizes that the completion of a master plan is an ongoing project that requires balancing many factors. At this time, Lipscomb University has a



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number of construction projects, in accordance with the master plan, that are temporarily impacting the on-campus parking. In an effort to contain student parking on-campus, staff recommends that the Commission permit some temporary parking with this plan. As indicated by notes on the plan, the parking to the north of the softball field will be eliminated when the academic building shown on the master plan is constructed and the parking to the south will be eliminated within 18 months from the approval date of this plan. At that time, a sidewalk will be installed to connect the parking garage to the bus stop.

Staff Recommendation

Staff recommends approval with conditions.

PUBLIC WORKS RECOMMENDATION

No Exception Taken

STORMWATER RECOMMENDATION

Approved Except as Noted

1. Provide a copy of the NPDES NOC letter and include in the note on the plan set the permit number the site is covered under.
2. The long-term maintenance plan needs to include all of the components listed on page 13 of appendix C. Please revise and including recording fees.
3. Provide easement location, documentation, and appropriate fees for the water quality structure and the detention pond including provisions for ingress/egress.
4. Sheet C3.1 needs to be signed and stamped by a registered PE.
5. Erosion control details need to reference Metro's Erosion Control Manual. Provide the appropriate TCP-xx number on the details.
6. Include a note on the erosion control plan stating that erosion control measures are not to be removed until final site stabilization is achieved.
7. Provide a drainage map showing the sub-area flowing to the proposed 18" pipe located at the entrance along Green Hills.
8. Provide calculations and a drainage area map for sizing the structures associated with the roof drains and yard inlets.
9. The slope for the 18" pipe is shown as 2.9% in the calculations and 2.8% on the plans. Please revise.



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10. Provide invert elevations on the grading plan for the proposed 18" pipe. How much cover will be available for this pipe?

11. Additional flow from the proposed garage is entering the existing 48" RCP. Provide revised calculations including actual flow, capacity, and HGL for this system.

12. Provide outlet protection for the 18" pipe.

13. In the southeast corner of the parking lot, some existing inlets are being graded over and an inlet that used to be next to the curb is now in the middle of a parking spot. Are these inlets being modified? Provide spot elevations in the parking lot to ensure positive drainage to these inlets.

14. There looks to be an increase in impervious area due to this project, the pond calculations need to be revised and checked to make sure they meet the detention regulations. Stormwater calculations need to be signed and stamped by a registered PE.

15. The site does not meet the 80% overall TSS requirement as some of the site (including the new garage) is only entering the detention pond.

16. Provide a drainage map showing the area to be treated for water quality. Show which area flows through the water quality unit and what area bypasses the water quality unit and flows into the existing pond.

17. Provide calculations showing that the outlets for the pond have been properly sized to meet the current water quality treatment requirements.

18. The water quality unit detail needs to include invert elevations and pipe sizes.

19. Provide a drainage map for next two downstream structures from the pond including supporting calculations showing actual flow and flow capacity for these structures.

CONDITIONS

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

- Add landscaping on the north side of the backflow preventer.
- Comply with all Stormwater conditions.

2. Parking to the north of the softball field must be removed when the academic building is built per the master plan.



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3. Parking to the south of the softball field must be removed within 18 months from the date of approval of this plan.