

Metropolitan Planning Commission



Staff Reports

February 14, 2008

ZONING MAP AMENDMENTS

SEE NEXT PAGE



Project No.
Council Bill
Council District
Requested by

Zoning Text Change 2006Z-022T
BL2008-115
Countywide
Councilmember Tygard

Staff Reviewer
Staff Recommendation

Bernards
Approve

REQUEST

Amend Title 17 of the Metropolitan Code, Section 17.04.060B, to modify the definition of “two-family” structure to include two detached dwelling units.

Amend 17.04.060.B
Definitions of general terms

Amend the definition of “two-family” structures by adding the following (underlined) provision at the end of the definition:

“Two-family means two attached dwelling units forming a single structure connected by not less than eight feet of continuous floor, roof and walls, or two detached dwelling units separated by at least ten feet, provided that the distance can be less than ten feet if the facing walls on both units are rated according to the Standard Building Code as adopted by the Metropolitan Government pursuant to Chapter 16.08 of the Metropolitan Code of Laws.”

HISTORY

This zoning text change request was recommended for approval by the Planning Commission at its February 9, 2006, meeting. The text change was withdrawn on third reading at Council on December 19, 2006. The bill was reintroduced at the January 15, 2008, Council meeting and is scheduled for public hearing at Council on March 4, 2008. As more than two years will have passed between Planning Commission approval and the public hearing at Council, Planning Commission is required by the Zoning Code to act on this matter again.

ANALYSIS
Existing Law

The current definition of a “two-family” structure in the Zoning Code requires two attached dwelling units to form a single structure connected by not less than eight feet of continuous floor, roof and walls.

In the past, two-family structures were largely built as two units within one large structure. In recent years, however, more two-family structures are being built as



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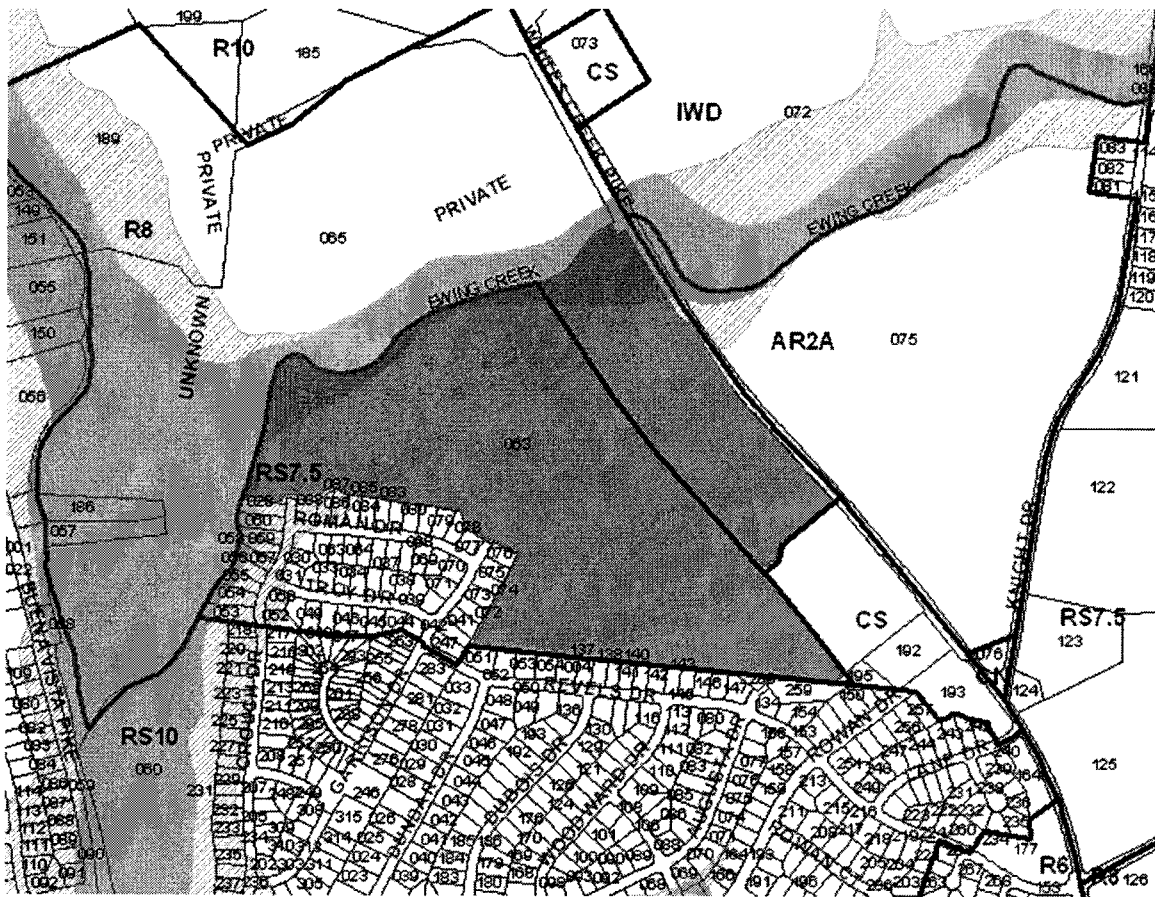
two buildings with a connector. One of the most frequently heard complaints about two-family structures designed as two buildings with a connector is that they are out of character in neighborhoods with single-family homes or two-family homes designed to look like a single, unified structure.

The proposed change to the definition of “two-family” structures will allow for additional options in the design of two-family structures. The proposed definition requires that the facing walls on detached two-family structures be built to the specifications of the Standard Building Code.

RECOMMENDATION

Staff recommends approval. The Planning Commission recommended approval of this zoning text change on February 9, 2006, and there have been no changes that would warrant an alternative recommendation. The proposed change to the definition of “two-family” structures in the Zoning Code will provide additional design options for property owners seeking to build two-family structures. In addition, it addresses one design complaint surrounding two-family structures, while continuing to allow two-family structures to meet the housing needs of residents of Nashville/Davidson County.

CONCEPT PLANS



2008S-007U-03
 Villages of Ewing Creek
 Map 059-00, Part of Parcel 063
 Subarea 3 (2003)
 Council District 2 - Frank R. Harrison



Project No.
Project Name
Council District
School District
Requested By

Subdivision 2008S-007U-03
Villages of Ewing Creek
2 - Harrison
1 - Thompson
Mark and Lisa Wright et al, owners, Dale & Associates, surveyor

Staff Reviewer
Staff Recommendation

Bernards
Approve with conditions

APPLICANT REQUEST

Concept Plan

A request for concept plan approval to create 266 lots within a cluster lot development, 247 single-family lots and 19 duplex lots for a total of 285 units, on a portion of property located at 2832 Whites Creek Pike, approximately 1,510 feet south of Briley Parkway (84.21 acres), zoned Single-Family Residential (RS7.5) and One and Two-Family Residential (R8).

ZONING

RS7.5 District

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

R8 District

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

PLAN DETAILS

This concept plan application proposes a 266-lot cluster-lot subdivision with 247 single-family lots and 19 duplex lots for a total of 285 units. The cluster lot option allows the applicant to reduce minimum single-family lot size two base zone districts. For the portion of the property within the RS7.5 zoning district, the lots can be reduced to 3,750 square feet. For the portion of the property within the R8 zoning district, the single-family lots can be reduced to 6,000 square feet. The Code does not permit use of the cluster option for duplex lots, so any lot identified in the plan as a duplex lot must be 8,000 square feet.

Section 17.16.030.D. of the Zoning Code limits the number of duplex lots to 25% of the number of lots in the subdivision. There are 48 lots proposed in the portion of the subdivision that falls within the R8



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zoning district, which would allow 12 duplex lots. The plan currently shows 19 duplex lots. Seven lots will need to be converted to single-family lots, including Lots 12 and 111, which are identified as duplex lots but are below the 8,000 square foot minimum. The duplex lots could not be distributed throughout the entire development as they can only be located within the portion of the property zoned R8. With the elimination of seven lots, the remaining duplex lots should be located primarily on corner lots and not grouped in any one location or along any one street.

Site Access

The site will be accessed from two points along Whites Creek Pike and from Garrison Drive to the south. A second southern connection to Crouch Drive was proposed but is not possible due to an existing wet land at the stub of Couch Drive. A third southern connection to Augusta Drive is not possible due to the existing building pattern. A connection to the north was considered which would have required crossing Ewing Creek. The benefit of this crossing was limited because the property to the north lies between the creek and Briley Parkway. There are opportunities to provide connections to this northern property from the west without crossing the stream. Due to the limited benefits of this connection, staff is not recommending that it be added to the plan.

Sidewalks

Sidewalks will be provided on all new streets and are required along Whites Creek Pike. A pedestrian connection from the southeast cul-de-sac to the commercially zoned property is required.

Open Space

The plan includes 36.7% open space providing "use and enjoyment." This exceeds the 15% minimum requirement for cluster lot subdivisions. 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. An additional 6.3% of the property will be used for landscape buffer-yards and water quality facilities.

The applicant proposes two recreational facilities in accordance with Ordinance BL2007-1365, which



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requires recreational facilities to be provided in cluster lot subdivisions. A 285-unit subdivision requires two recreational facilities. One of facility will be a gazebo with an open lawn play area and the other will be a children's playground. This requirement will not change with the conversion of seven duplex lots to single-family lots.

Landscape buffer yards are required and proposed along the southern edge of the property.

A greenway runs along Ewing Creek. A "Dedicated Conservation/Greenway Public Access Trail Easement Area" has been identified on the plan.

Wetlands

The Stormwater Division has noted that the buffer shown within the wetlands is incorrectly depicted at only 30 feet in width. The required increased width will impact lots 218 and 219. These lots cannot encroach into the buffer and must either be reconfigured to be completely outside of the buffer area or removed from the plan.

Critical Lots

A number of lots have been identified as critical lots due to steep slopes. 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. As required by Section 3-3.4 of the Subdivision Regulations, a preliminary grading study was submitted with this concept plan.

There are a number of lots located in the existing 100-year floodplain. These lots are identified as critical lots.

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. Provide documentation of adequate sight distance at proposed access roads. Prior to the submittal of construction plans, submit a field run survey demonstrating adequate sight distance.



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3. Construct a northbound left turn lane on Whites Creek Pike at the proposed northern access road with 100 ft of storage and transitions per AASHTO/MUTCD standards.
4. Construct a northbound left turn lane on Whites Creek Pike at the proposed southern access road with 100 ft of storage and transitions per AASHTO/MUTCD standards.
5. Construct a continuous three (3)-lane cross-section on Whites Creek Pike between the proposed access roads.
6. Construct both project access roads at Whites Creek Pike with one entering and two exiting lanes (LT and RT) each with a minimum of 50 ft of storage.
7. Construct a northbound right turn lane on Whites Creek Pike at Knight Drive with 200 ft of storage and transitions per AASHTO/MUTCD standards.
8. Modify the traffic signal at Whites Creek Pike and Knight Drive to include a northbound right turn overlap phase and to accommodate the northbound right turn lane construction.

STORMWATER RECOMMENDATION

1. Consolidate all pertinent stormwater related details onto the Stormwater Grading and Drainage Sheet (C4.0). Zone 2 of the Floodway Buffer represents more than the "Greenway Public Access Trail Easement Area", it needs to be defined also as a 25' Floodway Buffer. Sheet C4.0 should label the Floodway, the, "50' Floodway Buffer - Zone 1," and the, "25' Floodway Buffer - Zone 2."
2. With reference to Page 12 of Chapter 6 of Volume 1 of the Stormwater Management Manual, show and label a, "25' Water Quality Buffer" for the existing Wetlands.
3. The stream, as identified by Metro GIS ArcMAP, present within the noted wetlands is incorrectly depicted. With reference to Page 12 of Chapter 6 of Volume 1 of the Stormwater Management Manual, show and label a "30' Water Quality Buffer." The Water Quality Buffer is scaled from the Tops of Bank. The total required buffer width is 30' + 30' + the top width of channel. The current Buffer is only 30' in width. Appropriate Correction is required.
4. With reference to comment #3 above, the increased buffer width of the noted stream will affect Lots



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218-219. Said lots cannot encroach into the buffer. Either remove the lots from the buffer or reconfigure the Lot layout.

FIRE MARSHAL RECOMMENDATION

1. Show on plans, planned building construction type, and square footage.
2. Actual or projected flow data shall be provided on plat showing compliance with 2006 edition of NFPA 1 table H.
3. Print fire hydrant flow data on plans.
4. Provide a Master Water Plan which shows water mains, fire hydrants, and the proposed flow from the fire hydrant with the highest elevation and most remote in this project, street access, and topographic elevations.
5. All roadways with-two way traffic shall comply with public works minimum requirements.
6. Any 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>)
7. 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.
8. The final plat shall show location and flow data for fire hydrants.
9. Fire Hydrant flow data shall be provided before plat can be approved.
10. 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.
11. 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.
12. Fire Hydrants shall be in-service before any combustible material is brought on site.
13. 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



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STAFF RECOMMENDATION

Staff recommends approval with conditions. Section 2-3.4.e of the Subdivision Regulations requires that, within 30 days of receiving conditional approval from the Planning Commission, a revised plan be submitted showing all required revisions have been made. If the revised plans addressing all conditions of approval are not received within 30 days, the approval will expire.

CONDITIONS

1. Seven of the lots identified as duplex lots shall be changed to single-family lots, including Lots 12 and 111. Duplex lots shall be located at corner lots and not grouped along any one street or in any one area.
2. A pedestrian connection from the southeast cul-de-sac to the commercially zoned property shall be provided.
3. Identify all lots within the floodplain and on steeply sloped lots as critical lots. 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 20% natural slope and a minimum lot width of 75 feet at the building line as required by 17.28.030 of the Zoning Code.
4. Stormwater requirements shall be met prior to concept plan approval including the reconfiguration or removal of Lots 218 and 219 so that no lots encroach into the required buffer for the wetlands.
5. Fire Marshal requirements shall be met prior to final plat approval.
6. Public Works requirements shall be met prior to final plat approval.
7. 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

**REVISIONS
and FINAL SITE PLANS**



**Project No.
Project Name**

**Planned Unit Development 68-82-U-12
Myrtlewood, Sec. 8 (formerly Brentwood
Oaks)**

**Council District
School District
Requested By**

31 – Toler
2 – Brannon
Dale & Associates, applicant, for Woodland Falls
Subdivision L.P., owners

**Staff Reviewer
Staff Recommendation**

Sexton
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 residential Planned Unit Development located at Woodland Hills (unnumbered), at the end of Woodland Hills Drive (11.97 acres), zoned One and Two-Family Residential (R15), to develop 12 single-family lots where 12 single-family lots were previously approved.

History

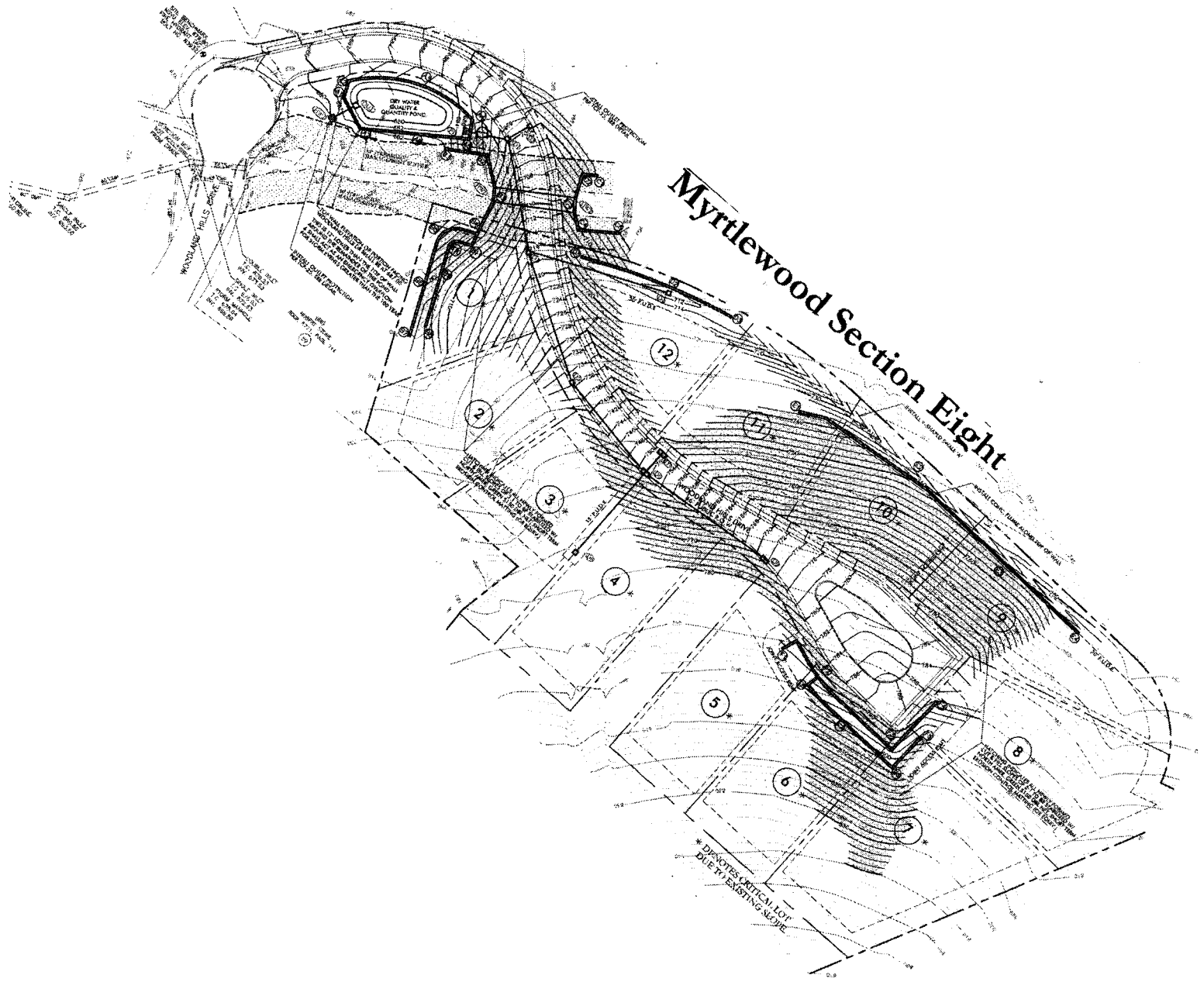
On July 8, 1999, the Metro Planning Commission approved a revision to the preliminary site plan for Brentwood Oaks, now Myrtlewood, Section 8 PUD, to permit the development of 12 lots, replacing 38 lots. The minimum lot size approved for the PUD is 12,632 square feet with a maximum height of three stories. The number of lots were reduced from 38 to 12 due to the steepness of the existing topography on the proposed private street. In addition, the 12 lots were approved with a variance to the subdivision regulations for maximum street grade.

Sidewalks were approved on the west side of the private drive and not the east side of the 12-lot subdivision. The previously approved site plan also included 3.16 acres of open space along the southwestern portion of the planned unit development.

PLAN DETAILS

Site Plan

The revised preliminary plan proposes 12 single-family lots on a cul-de-sac. All 12 lots are identified as critical lots due to existing steep slopes and must comply with the Hillside Development Standards of the Metro Zoning Code.



Myrtlewood Section Eight

DRY WATER QUANTITY & QUALITY POND

WOUNDING HILLS

1
2
3
4

12

5

6

10

8

* DENOTES CRITICAL LOT DUE TO EXISTING ADJ.



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Infrastructure

The front and rear setbacks are 20 feet and the side setbacks are 5 feet. The maximum building height remains three stories. The revised site plan includes a joint access easement running along the southern portion of Lots 5 through 8 and another joint access easement on the right side of Lot 10. The previous 3.16 acres of open space along the southwestern side of the PUD has been relocated to the west and northerly portions of the PUD.

Access

Retaining walls are proposed along the perimeter of the water quality and quantity pond on the northwest side of Woodland Hills Drive. Retaining walls are proposed on the northerly portion of Lots 1, 5, 6, 7, 8, 9, 10, 11 and 12. A fence will be required along the retaining walls of lots 9, 10 and 11 due to steep slopes.

The 12 lots are accessible by Woodland Hills Drive via an access easement over parcel 113. The applicant has indicated that access and utility easements for the entrance drive and pond were obtained by the previous owner of this site. As a condition of approval, staff is requiring that the applicant submit documentation providing proof of the access and utility easement to Woodland Hills Drive. The signature of the owner for parcel 113 will be required on the final plat so that right of way can be dedicated.

Sidewalks

As was approved on the original PUD, sidewalks are located on one side of Woodland Hills Drive only.

Landscaping

The plan includes landscaping at the entrance to the PUD.

FIRE MARSHAL RECOMMENDATION

1. 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.
2. 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.



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3. Developer needs to provide more information to the Fire Marshal's Office.
4. Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads. More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.
5. Flow data shall be printed on the plans for the fire hydrant(s) used to protect new construction for this project.
6. All roadways with two-way traffic shall comply with public works minimum requirements.
7. Print fire hydrant flow data on plans.
8. Actual or projected flow data shall be provided on plat showing compliance with 2006 edition of NFPA 1 table H.
9. 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

PUBLIC WORKS RECOMMENDATION

1. Turnaround to accommodate SU-30 design vehicle turning movement
2. The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.

STORMWATER RECOMMENDATION

Can be approved with the following conditions:

1. Include a north arrow on the vicinity map.
2. Provide NPDES NOC and include the permit number the site is covered under in the note on the plans.
3. Include 3 revised copies of the plan set.
4. Consider additional silt fencing at the bottom of slopes along the southeast and northwest edges of the site.



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5. Label and show erosion control protection for 3:1 slopes on the project plans.
6. Phasing information should be provided in the project plans.
7. Drainage structure invert elevations listed on the "Drainage Structure Schedule" and the "Pipe Schedule" (Sheet C2.0) do not match. Revise and recheck calculations accordingly.
8. Provide pre- and post-development drainage area maps.
9. Provide ARAP permit from TDEC and Section 404 from USACE due to stream crossing.
10. Drainage area map to pond appears incorrect. Area below lower inlets not draining to pond. SW area near existing ditch and eastern area beyond new ditch not going to pond. Please revise.
11. Water quality unit should be placed in location that can be maintained, preferably upstream of the dry pond. "Seam" elevation of 575.14 ft shown in the water quality vault detail (detail 2 of 3) does not correspond with the inflow and outflow invert elevations (698.9 ft and 698.7 ft).
12. The manufacturer's water quality unit calculations were referenced in the "Stormwater Quality Analysis" section of the report introduction. The water quality unit calculations were not included in the project documents. Please include these calculations.
13. The water quality goal of 80% for the site is not being met. Please provide additional treatment and provide WQ tool results to document treatment totals.
14. Provide fees for detention maintenance agreement and LT maintenance plan
15. Indicate easements to be recorded on plan. Will need to consider easements for offsite water draining across individual lots.

STAFF RECOMMENDATION

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



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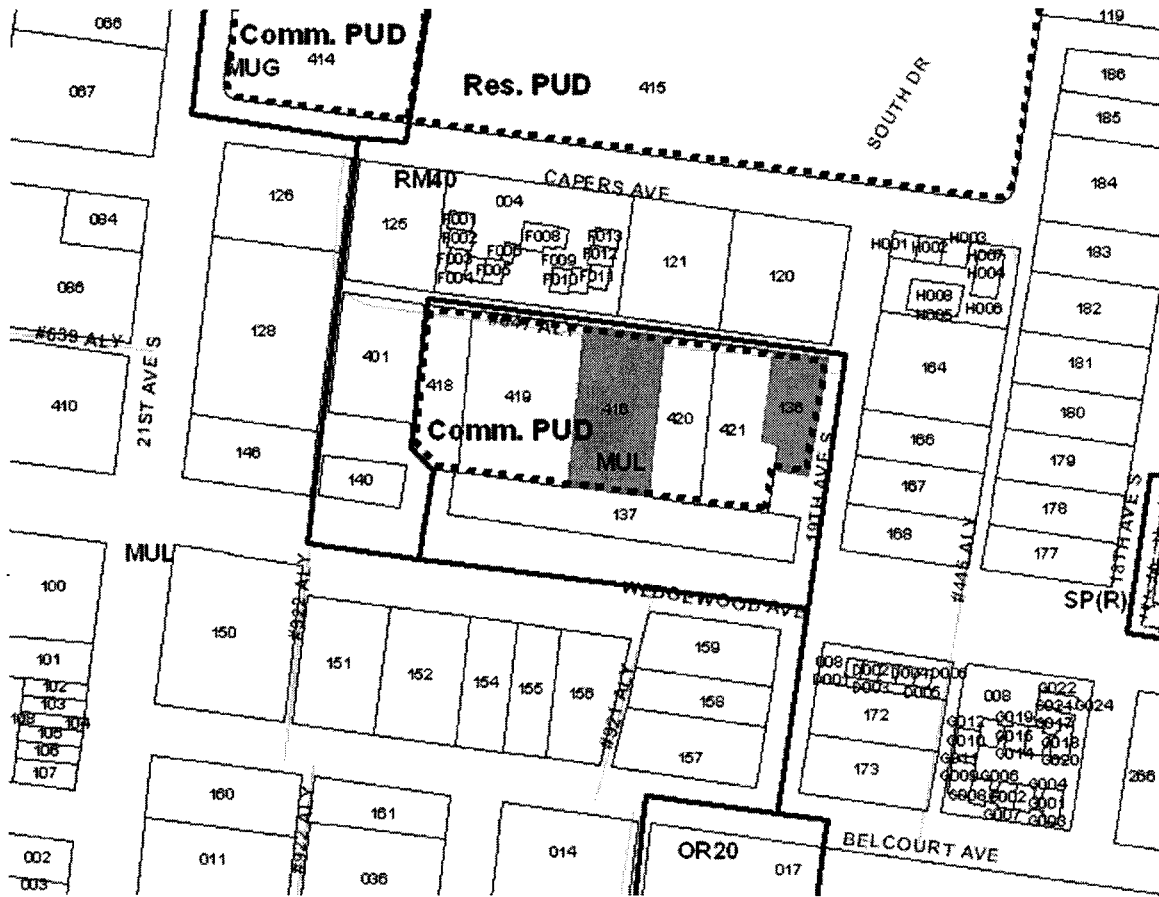
CONDITIONS

1. The owner's signature of parcel 113 shall be required on the final plat so that right of way can be dedicated.
2. Applicant shall submit access and utility easement documentation for the entrance drive and pond for Woodland Hills Drive.
3. Fencing is required along the retaining walls of lots 9, 10, and 11.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
6. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
7. Prior to 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.



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8. 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.
9. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
10. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
11. 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.



88P-039U-10
 Blakemore Associates
 Map 104-08, Parcels 136, 416
 Subarea 10 (2005)
 Council District 19 - Erica S. Gilmore



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

Planned Unit Development 88P-039U-10
Blakemore Associates
19 - Gilmore
8 - Fox
Hawkins Partners, applicant, for Mark Hartley, Larry Fitzgerald, and Hartley Family Trust, owners

Staff Reviewer
Staff Recommendation

Swaggart
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 a Planned Unit Development located at 1908 Blakemore Avenue and 1900 Wedgewood Avenue, at the northwest corner of Wedgewood Avenue and 19th Avenue South (0.60 acres), zoned Mixed Use Limited (MUL) and within the Blakemore Neighborhood Conservation Overlay, to allow a 3,133 square foot addition to the existing office located at 1908 Blakemore Avenue, replacing an unbuilt 1,300 square foot addition approved for an existing office located at 1900 Wedgewood Avenue.

PLAN DETAILS

General

This request is within the Blakemore Associates PUD. The PUD consists of six developed properties within the Blakemore Neighborhood Conservation Overlay. The existing uses include office and residential.

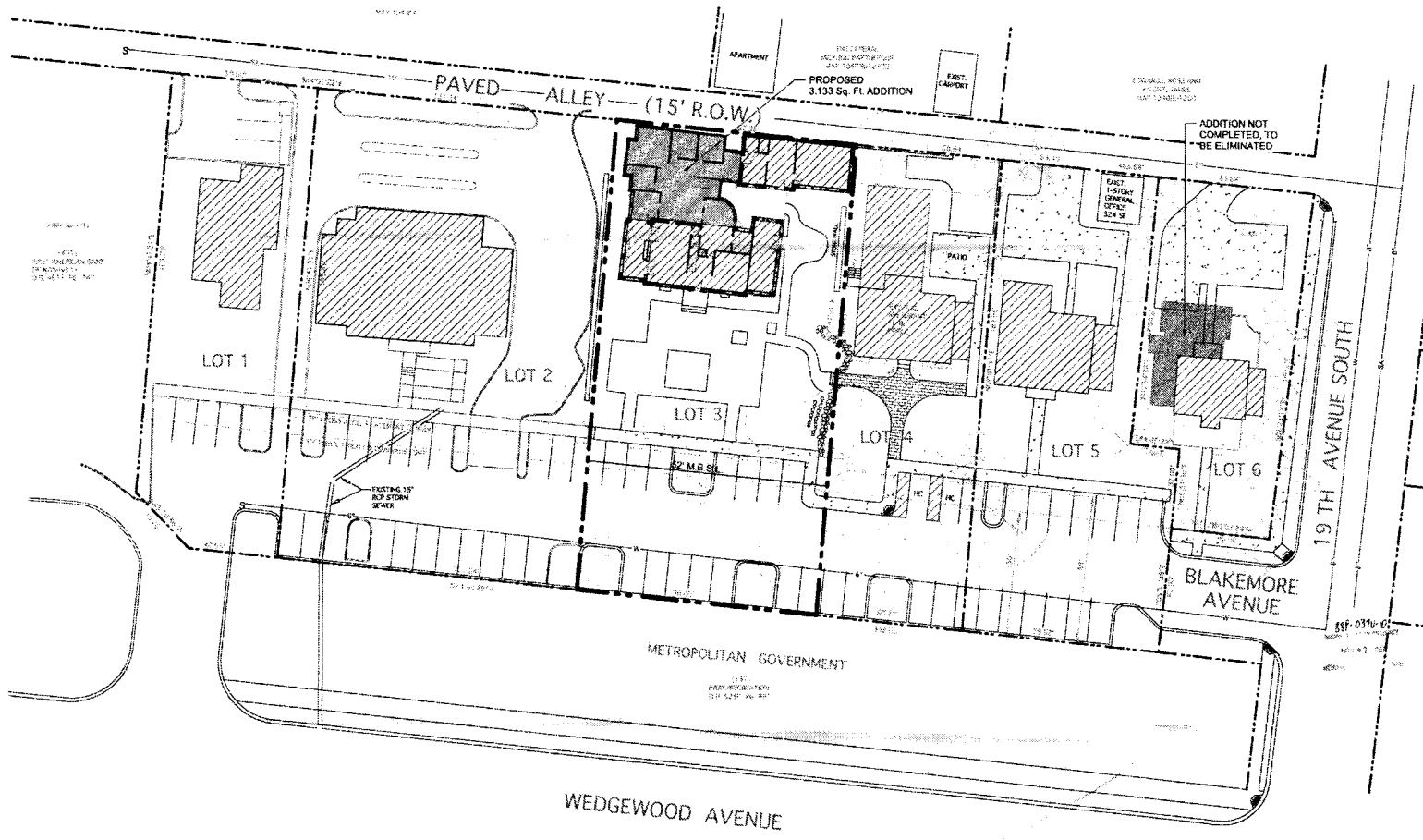
Site Plan

The revised plan calls for a 3,133 sq. ft. addition to the rear of an existing low-rise office building located on Lot 3 (1908 Blakemore Avenue). The addition will not be visible from Wedgewood Avenue. The plan also calls for the removal of development rights for a 1,300 sq. ft. addition which was previously approved for Lot 6 (1900 Wedgewood Avenue).

As proposed the total floor area for Lot 3 will be 6,148 sq. ft., and the total floor area for Lot 6 will be 1,312 sq. ft. The overall floor area within the PUD will be 21,550 sq. ft.

Setbacks

The proposed addition to the building will have a rear setback less than the minimum 20 feet required by the Zoning Code. While this does not meet the zoning



PAVED ALLEY (15' R.O.W.)

PROPOSED
3,133 Sq. Ft. ADDITION

ADDITION NOT
COMPLETED, TO
BE ELIMINATED

LOT 1

LOT 2

LOT 3

LOT 4

LOT 5

LOT 6

19 TH AVENUE SOUTH

BLAKEMORE AVENUE

METROPOLITAN GOVERNMENT

WEDGEWOOD AVENUE

APPROXIMATE
MET. PROPERTY LINE
DETERMINED BY
SURVEY OF 1912

EXISTING 15"
RCP STORM
SEWER

24 FT.
PARKING/LOADING
ZONE 42 FT. WIDE

15'-03 1/2"
WIDE
CROSSING



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Blakemore Neighborhood Conservation Overlay

requirement, Council recently approved Ordinance No. BL2007-45 which gives the Historic Zoning Commission the ability to determine the appropriate setback for structures within historic overlay districts. The Historic Zoning Commission has approved the plan including the proposed setback.

Preliminary Plan

This PUD is within the Blakemore Neighborhood Conservation Overlay, and the PUD boundary is also the conservation overlay boundary. The design and layout for this request has been approved by the Historic Zoning Commission.

This PUD was originally approved in 1988 for 20,350 sq. ft. of floor area. The request will increase the total floor area to 21,550 sq. ft., an increase of 1,200 sq. ft., or approximately 6%. As this increase in floor area will not exceed 10%, it will not require approval from the Metro Council.

PUBLIC WORKS RECOMMENDATION

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

STORMWATER RECOMMENDATION

No Exceptions Taken

STAFF RECOMMENDATION

Staff recommends approval with conditions.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public

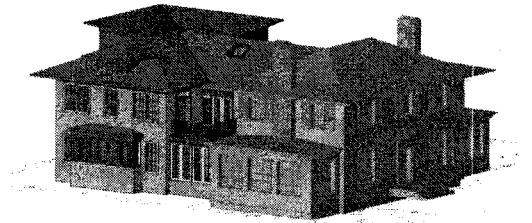


6. Birdseye View from Alley...



7. Perspective from Alley...

Blakemore Associates P.U.D.



8. Birdseye View from Back...



9. Perspective from Back...



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Works for all improvements within public rights of way.

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

