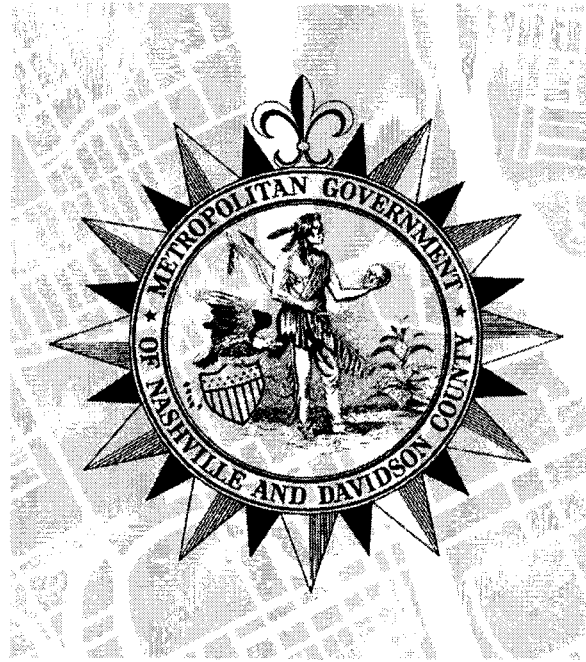


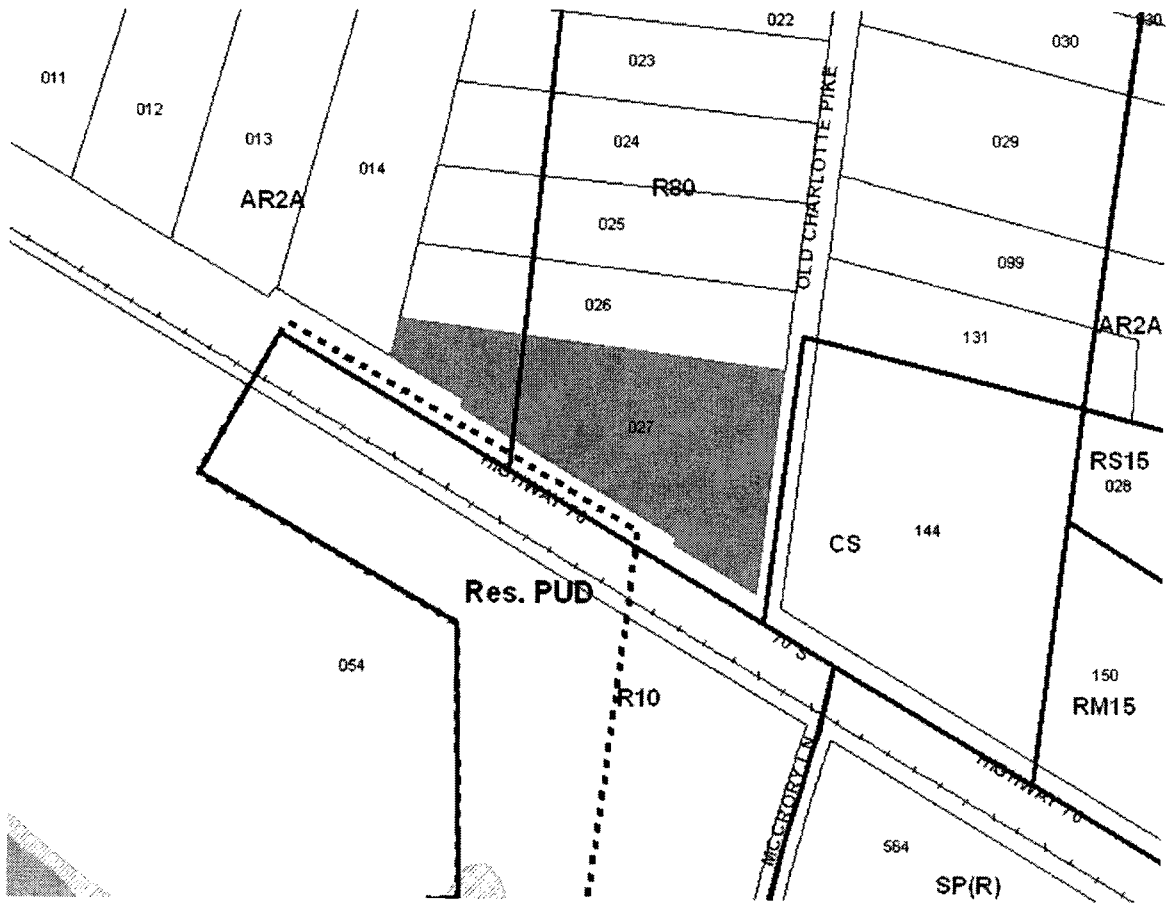
Metropolitan Planning Commission



Staff Reports

March 27, 2008

PREVIOUSLY DEFERRED ITEMS



2008Z-017G-06

Map: 126-00

Subarea 6

Council District 35

Parcel(s): 027



Project No.	Zone Change 2008Z-017G-06
Council Bill	None
Council District	35 - Mitchell
School District	6 - Johnson
Requested by	Oliver Cromwell Carmichael, owner
Deferral	<i>Deferred from the February 28, 2008, Planning Commission meeting</i>
Staff Reviewer	Swaggart
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

A request to change approximately 4.5 acres located at the northwest corner of Old Charlotte Pike and Highway 70 South (unnumbered), from Agricultural/Residential (AR2a) and One and Two-Family Residential (R80) to Commercial Service (CS) zoning.

History

This request was deferred from the February 28, 2008, Planning Commission agenda at the request of the applicant.

Existing Zoning
AR2a District

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

R80 District

R80 requires a minimum 80,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of .58 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.

**BELLEVUE COMMUNITY
PLAN POLICY**

Neighborhood Center (NC)

NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five-minute walk of the



Metro Planning Commission Meeting of 03/27/08

surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities, small-scale office, and commercial uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

No. The NC policy requires that zone change requests be accompanied by an Urban Design (UDO) or Planned Unit Development (PUD) overlay district, or the rezone request must be for a Specific Plan (SP) to ensure that any development is consistent with the policy requirements. While CS zoning would allow for some uses called for in the policy, a mixed-use zoning district with a PUD or UDO, or a mixed-use SP district is required to be consistent with the policy. CS zoning does not insure consistency with the NC policy in terms of uses or urban form.

PUBLIC WORKS RECOMMENDATION

Typical Uses in Existing Zoning District: AR2a and R80

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	4.5	0.5	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
Shopping Center (820)	4.5	0.066	11,761	506	13	45

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	4.5	0.6	117,612	7547	173	697

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
--				+486	+11	+42



Metro Planning Commission Meeting of 03/27/08

STAFF RECOMMENDATION

Staff recommends disapproval because the NC policy requires that a zone change request must be accompanied by an UDO or PUD, or the rezone request must be for a SP to ensure that any development is consistent with the policy requirements.

NO SKETCH



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

Zone Change 2008Z-023T
Digital and LED Signs
BL2007-152
Countywide
N/A
Councilmember Charlie Tygard

Staff Reviewer
Staff Recommendation

Regen
Disapprove.

APPLICANT REQUEST

A request to amend the Metro Zoning Code, Section 17.32.050.G and H to allow digital and LED (i.e. electronic) signs in certain areas of Davidson County.

History

At the March 13, 2008, meeting the Planning Commission approved a motion to reconsider this item with a Public Hearing at the March 27, 2008, meeting.

ANALYSIS

Existing Law

Section 17.32.050.G and H of the Zoning Code regulate signs with graphics, messages, and motion. The two sections contain provisions that appear contradictory and are difficult for the Codes Department to enforce. Currently, scrolling, flashing, and changeable copy signs are generally prohibited in all zoning districts except CS and CL, with one exception. Time/date/temperature signs are permitted in all non-residential zoning districts provided they remain fixed, static, motionless, and non-flashing for a period of two seconds or more.

Proposed Bill

The proposed bill would provide that electronic signs are permitted in all zoning districts, including residentially zoned properties located along a collector or arterial street, as shown on the adopted Major Street Plan. Since the Planning Commission last reviewed this bill on February 28, 2008, the Metro Council adopted an amendment to it on March 4, 2008. The amendment restricts electronic signs in residential districts to religious institutions, community education facilities, cultural centers, and recreation centers.

As written, the bill adds provisions to subsection G to require the display of an electronic sign to remain static for eight seconds and requires a transition between displays of less than two seconds. The bill would also



Metro Planning Commission Meeting of 03/27/08

add a prohibition for digital billboards that are less than 2,000 feet apart from one another. Because of the conflicting language in subsections G and H of the current Code, it is unclear whether digital billboards currently are permitted. Under this ordinance, they would be permitted so long as they comply with the amended provisions of subsection G.

Current subsection H is deleted from the Code and replaced with a new section H that would: 1) clarify that video and other animated signs are prohibited in all districts except for the CA zoning district; and 2) permit LED message boards on collector and arterial streets in all residential zone districts.

The term "electronic sign" embraces a couple different technologies seen in Metro that have been recently installed, including digital signs and LED signs. Digital signs have color and animation with a TV picture quality such as the one on West End Avenue at 30th Avenue, North, or the Nova Copy sign along I-40 in downtown Nashville. Unlike digital signs, LED signs are not multi-color. LED signs have red or amber-colored lights and lettering on message boards such as those at a drugstore or businesses which display date, time, and temperature.

Proposed Text

This council bill proposes to amend Section 17.32.050.G and H. of the Zoning Code (Prohibited Signs) as follows:

G. Signs with any copy, graphics, or digital displays that change messages by electronic or mechanical means, ~~when~~ where the copy, graphics, or digital display does not remain fixed, static, motionless, and nonflashing for a period of ~~two (2) seconds or more~~ eight (8) seconds, ~~provided that this provision shall not be applicable to any sign located within the CA district with a change time of less than two (2) seconds.~~ Digital display billboards less than two thousand (2,000) feet apart, and digital billboards that are not in compliance with the provisions of section 17.32.150, are also prohibited.

~~H. billboards in permitted districts, or signs located in ON, OL, OG, OR20, OR40, ORI, MUN, MUL, MUG, SCN, SCC, CN and CL districts with lights or~~



Metro Planning Commission Meeting of 03/27/08

~~illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color except for time/temperature/date signs. This provision shall also apply to all signs located within one hundred feet of property classified within a residential district.~~

H.1. Video, continuous scrolling messages, and animation signs, except in the commercial attraction (CA) district.

H.2. LED message boards in residential zoning districts. Notwithstanding the foregoing, LED message boards shall be allowed for community education facilities, cultural centers, recreation centers, and religious institutions located on collector or arterial streets in residential zoning districts

Analysis

In the past few years, there have been three council bills to permit electronic signs; two failed to receive Council support and one was adopted (see table below). All three bills were recommended for disapproval by the Metro Planning Commission. While this latest bill does create more restrictive display periods for electronic signs, it still does not provide adequate protection for residential areas in which these signs may be located.

SIGN BILLS				
Bill #	Sponsor	Council Action	MPC Action	Description
BL2005-648	Dozier	Failed 3rd reading 1/17/06	Disapproved 12/8/05	Permit signs with graphics or electronic displays oriented to a four-lane or controlled access highway maintained by the State of Tennessee and located within the urban services district (USD), with a speed limit of forty miles per hour (40 m.p.h.) or less.
BL2006-974	Dozier, Wallace	Withdrawn 7/18/06	Disapproved 2/23/06	Permit signs with graphics or electronic displays oriented to a four-lane or controlled access highway maintained by the State of Tennessee and located within the urban services district (USD), with a speed limit of forty miles per hour (40 m.p.h.) or less.
BL2007-1366	Brown	Approved	Disapproved 2/22/07	To allow signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color within the CL zoning district. Notwithstanding the foregoing provisions, signs with lights or illuminations that display non-scrolling and non-flashing electronic text shall be permitted within the CL district, provided the text remains static for at least three seconds and the sign is not located within four hundred feet of any residential property with frontage on the same street.



Metro Planning Commission Meeting of 03/27/08

As written, the current bill would allow electronic signs on collector and arterial streets in residential zoning districts. Such electronic signs would be permitted up to eight (8) feet tall, up to 192 square feet of total sign area, up to three (3) electronic signs depending on a property's street frontage, and with no restriction on the amount of sign area devoted to the changeable copy. Further, the bill provides no standards for illumination, hours of operation, distance from a residential use, and variation in colors and hues.

The Zoning Administrator has indicated that the Codes Department considers electronic signs and billboards to be illegal under the current Metro Code sign provisions because, in application, most such signs violate the provisions of subsection H in the current law, which prohibits signs with "lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color." This bill proposes to permit digital signs and digital billboards like those recently erected along I-65 near 100 Oaks Mall, I-24 westbound in Hermitage, and elsewhere in Metro. According to the Zoning Administrator, all of these digital signs and billboards are on private property, except Metro's convention center sign which is on public property. Those signs erected with a valid Metro permit were approved with the explicit statement that such signs were not to be digital. The proposed bill would clarify that digital billboards are allowed so long as the display message remains static or fixed for 8 seconds or more, the transition time between messages is two seconds or less, and digital billboards are spaced a minimum of 2,000 feet apart.

STAFF RECOMMENDATION

Staff recommends disapproval of the bill as drafted because electronic signs would be permitted without adequately safeguarding Nashville's neighborhoods. When the Zoning Code's sign provisions were adopted by the Metro Council in the early 1990's, electronic signs did not exist. That said, the Planning Department does not believe the Zoning Code was intended to be interpreted to permit such signs now or in the future. The provisions of Section 17.32.050.G and H are broad enough to encompass this latest sign technology, and they expressly prohibit it.



Metro Planning Commission Meeting of 03/27/08

This is a complex and difficult issue. A draft alternate ordinance is appended to this staff report, below. The draft alternate ordinance also is not recommended for approval by staff, but is presented for the Planning Commission's consideration. The draft alternate ordinance would amend the Zoning Code to allow electronic signs in residential districts subject to a special exception use, electronic signs by right in various commercial districts, and electronic billboards by right in certain districts.

If the commission recommends the draft alternate ordinance for approval, staff suggests that the recommendation should include a recommendation that two separate council bills be drafted to enable Metro Council to consider the signs in their appropriate zoning context.

- 1) electronic signs in residential areas; and
- 2) electronic signs for commercial areas and billboards.

The Planning Commission may also want to look at the proximity of billboards to residential uses. Lastly, staff recommends that if the Metro Council amends the Zoning Code to permit these signs, the current council bill, or any new bill introduced, should include a provision expressly stating that **none** of these existing electronic and digital signs and billboards, including existing signs and billboards which may be converted to electronic in the future are grandfathered in, and that they must all comply with the applicable provisions of the adopted council bill within thirty (30) days after the bill's passage.



Metro Planning Commission Meeting of 03/27/08

Draft Alternate Ordinance

1. Modify Section 17.04.060 "Definitions of General Terms" by **inserting** the following new definition in alphabetical order:

"Community Facility" means a community education, cultural center, recreation center, or religious institution.
2. Modify Section 17.04.060 "Definitions of General Terms" by **inserting** the following new definitions in alphabetical order under the word "Sign" and after the phrase "These terms regarding signs are referenced", renumbering the existing terms accordingly.

"Electronic Changeable Copy Sign" means a sign that displays electronic, non-pictorial text information in which each character, graphic, or symbol ("display") can be changed without altering the face or surface of the sign using an electronic means such as light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic or other electronic media or technology. All copy shall be displayed in one color with no hues, and remain fixed or static for at least eight (8) seconds before changing. All copy changes must be accomplished instantaneously without any special effects. At no time shall any sign display area have varying light illumination and/or intensity, blinking, bursting, dissolving, distorting, fading, flashing, oscillating, rotating, shimmering, scrolling, sparkling, streaming, traveling, tracing, twinkling, simulated movement, or convey the illusion of movement.

"Electronic Graphic Display Sign" means the same as "Electronic Changeable Copy Sign" except static images, graphics and/or pictures may be displayed in one or more colors and hues.

"Electronic Video Display Sign" means a sign that changes copy or background using varying light illumination, intensity, or a progression of pictorial or graphic frames in either a continuous or animated presentation to display motion, action, special effects, or pictorial imagery in one or more colors and hues.

"Manual Changeable Copy Sign" means a sign whose copy is or can be changed manually or mechanically in the field by the use of detachable letters, numbers, or symbols.

"Sign Copy" means any words, letters, numbers, figures, characters, symbols, logos, emblem, flag, background, or insignia that are used on a sign display surface area.
3. Modify Section 17.32.090.A by renaming it and amending the language, **inserting** a new subsection B, and renumbering existing subsection B as C (Signs: On-Premise Signs for Non-Residential Uses in Agricultural and Residential Districts) as follows:



Metro Planning Commission Meeting of 03/27/08

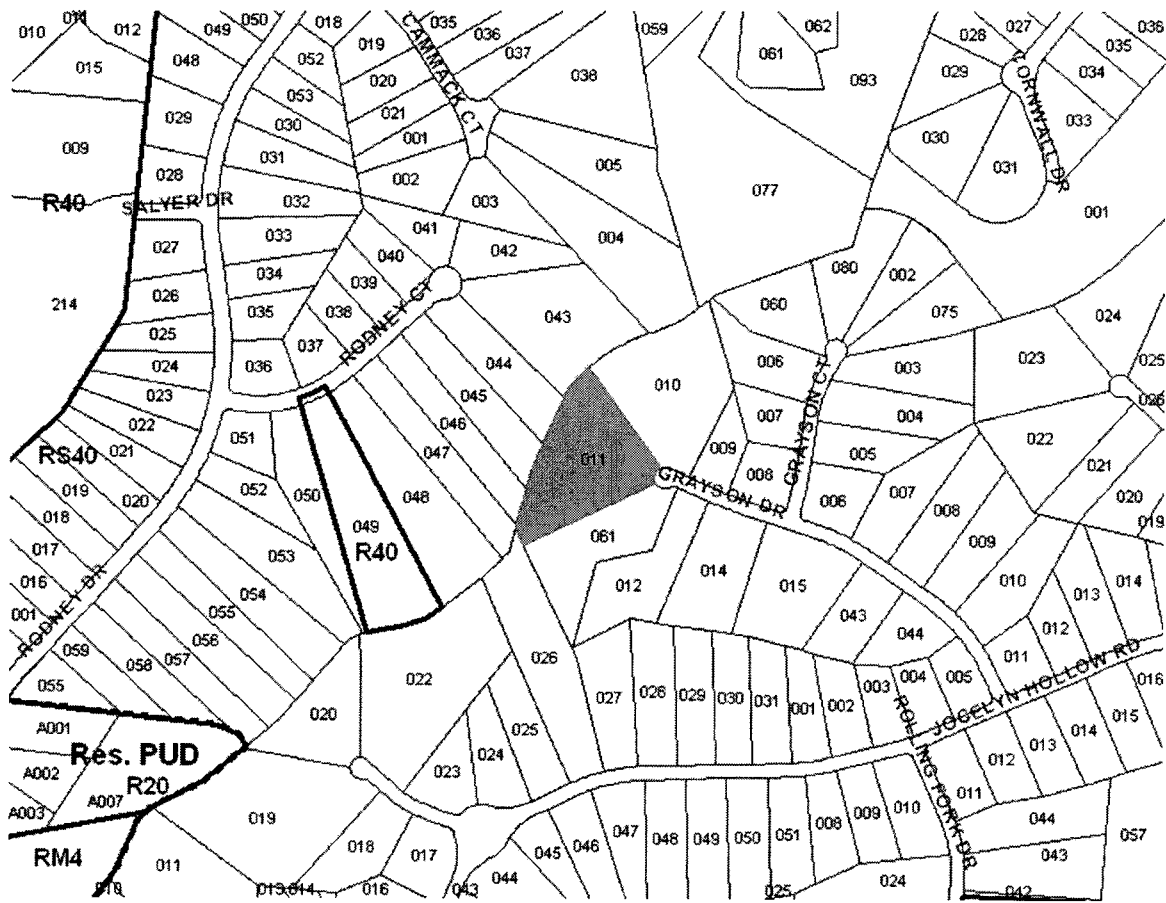
- A. Signs. All on-premise signs located in a residential district shall conform to the sign provisions applicable to the ON district, except as provided below in Section 17.32.090.B for a community facility use desiring an electronic changeable copy sign. Ground signs shall be monument signs with a maximum height of eight (8) feet at grade-level measured at the location where the sign will be erected. The minimum street setback shall be fifteen feet; the sign shall not encroach into required side setbacks of the district; and only one such ground sign shall be permitted per street frontage.
- B. Electronic Changeable Copy Signs. Following approval of a special exception by the Board of Zoning Appeals community facilities located in residential districts shall be permitted only one ground monument electronic changeable copy sign for the entire facility, regardless of the number and location of principle or accessory uses, parcels, lots, street frontages, abutting or adjacent properties that comprise the overall facility. The sign shall not exceed eight (8) feet in height at grade-level measured at the location where the sign will be erected on the property, 48 square feet in total allowable sign area with the changeable copy not exceeding a maximum of twenty-five percent (25%) of that allowable sign area. Wall-mounted electronic changeable copy signs are not permitted. Prior to approval of a special exception, the Board of Zoning Appeals shall ensure the following criteria are met.
- i. An applicant has provided sufficient evidence to the board that the proposed changeable copy sign (electronic), meets the following criteria
 - a. Located on an arterial street as designated on the adopted Major Street Plan and having a minimum of four (4) existing travel lanes at the location of the proposed sign.
 - b. Located in an area that is predominately non-residential in character.
 - c. Located no closer than 500 feet from any existing residential use.
 - ii. The board shall also consider the following in determining the appropriateness of granting a special exception.
 - a. A recommendation from the Historic Zoning Commission, if the property is located within an historic overlay district.
 - b. A recommendation from Metropolitan Development and Housing Agency, if the property is located within a redevelopment district.
 - c. A recommendation from the planning commission as provided in Section 17.40.300. The planning commission shall recommend on the proposed sign's consistency with the goals, objectives, and standards of the general plan, including any community, neighborhood, or other design plan.
 - d. The proposed sign's size, height, location, configuration, materials, structure, illumination, and hours of operation, including proximity to another electronic changeable copy sign(s).
 - e. Whether the sign will detract from the existing neighborhood character, including the street and pedestrian environment.
 - iii. Once a special exception is granted the sign shall meet the following conditions:



Metro Planning Commission Meeting of 03/27/08

- a. Be illuminated no earlier than 6:00 a.m. on any day and no later than 9:00 p.m. on any day.
 - b. Once fully illuminated, the sign shall not produce any direct, indirect, or reflected light or glare impacts on adjoining properties, pedestrians, bicyclists, or motorists.
 - iv. The board may place conditions on a proposed sign needed to ensure the sign does not detract from the existing or planned neighborhood character, including the street and pedestrian environment.
4. Modify Section 17.32.050.G (Prohibited Signs) by **deleting** the existing text and **inserting** the following in its place:
- G. Electronic video display signs in all zoning districts except the CA district.
5. Modify Section 17.32.050.H (Prohibited Signs) by **deleting** the existing text and **inserting** the following in its place:
- H. Electronic signs, either changeable copy or graphic display, are prohibited except as follows:
- 1) Billboards may be electronic, either changeable copy or graphic display signs, provided there is a minimum separation distance of 2,000 feet between the proposed billboard and another electronic billboard (either changeable copy or graphic display signs) subject to districts identified in Section 17.32.150 and the provisions of this title.
 - 2) Signs located on properties in the office, mixed-use, commercial, shopping center, and industrial zoning districts may be electronic, either changeable copy or graphic display, subject to the sign regulations contained in Chapter 17.32 of this title.
 - 3) Community facility uses located in residential zoning districts as provided in Section 17.32.090.

SEE NEXT PAGE



2008S-023U-07
 WEST MEADE FARMS, RESUB. Lot 816, SEC. 9
 Map: 115-13 Parcel(s): 011
 Subarea 7
 Council District 23



Project No. Subdivision 2008S-023U-07
Project Name West Meade Farms, Resub Lot 816, Sec. 9
Council District 23 - Evans
School District 9 - Warden
Requested by Helen Marie Scott, owner, Campbell, McRae & Associates Inc., surveyor
Deferral *Deferred from the January 24, 2008, Planning Commission meeting at the request of the applicant*
Staff Reviewer Logan
Staff Recommendation *Disapprove*

APPLICANT REQUEST
Final Plat

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.

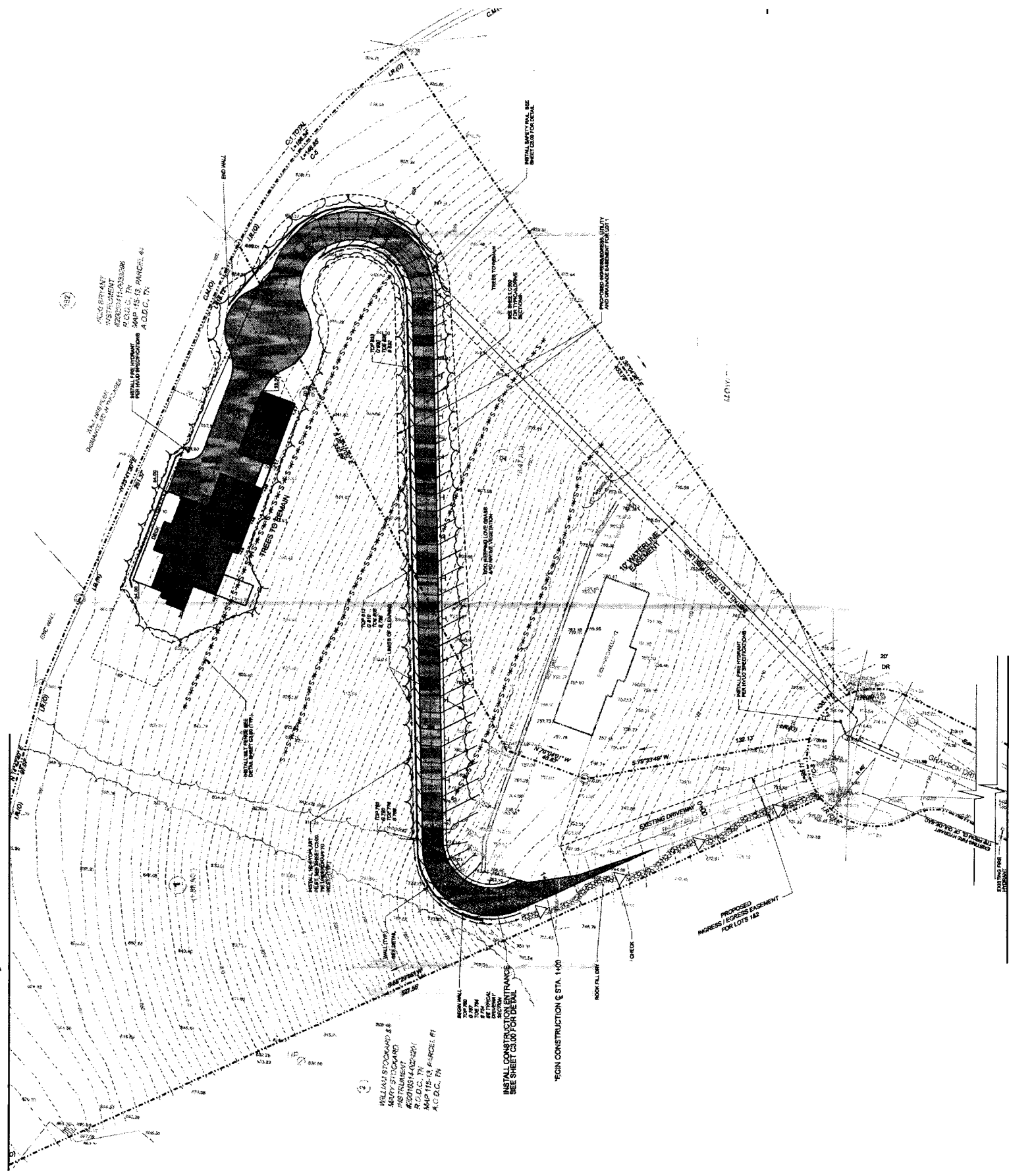
PLAN DETAILS

This subdivision 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.

History

This request was originally on the Planning Commission agenda for January 24, 2008. At that time, staff recommended disapproval, but included conditions that needed to be met in the event that the subdivision was approved. The applicant requested deferral in order to provide staff with the information required by the conditions. Those conditions were:

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.



PLANNING DEPARTMENT
PLANNING DIVISION
ADDRESS: 1000 BROADWAY
R.O.D.C. TN
MAP 15-13, PARCEL 46
ADD.C. TN

INSTALL CONSTRUCTION TRAFFIC
SEE SHEET CS-00 FOR DETAIL

CONSTRUCTION @ STA. 1+00
INSTALL CONSTRUCTION TRAFFIC
SEE SHEET CS-00 FOR DETAIL

PROPOSED
INGRESS/EGRESS ASSESSMENT
FOR LOTS 142

11/07

PLAN FOR THE
PROPOSED



Metro Planning Commission Meeting of 03/27/08

3. Prior to recording the final plat, submit a geotechnical report that complies with the problem soil requirements of Section 17.28.050 of the Zoning Ordinance.

The applicant has submitted the information required by conditions two and three above.

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

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 recommends disapproval of granting an exception to lot comparability for this proposal. 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.



Metro Planning Commission Meeting of 03/27/08

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 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.

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 proposed critical lot plan that shows the proposed building site for Lot 1 on top of the ridgeline and proposed driveway, which is not contained on Lot 1. The applicant has not submitted a grading plan identifying and preserving trees eight inches in diameter, as requested, to show



Metro Planning Commission Meeting of 03/27/08

Variance for Irregular Lot Line

that that the proposed building site is buffered by mature tree stands, as required by the development guidelines in the recent plan amendment.

Section 3-4.2.a of the Subdivision Regulations requires lot lines running at right angles from the street. 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 new structure above the existing structure on a slope of approximately 40% that contains problem soils. Staff has serious 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.

Additional Information

The applicant deferred the request at the January 24, 2008, Planning Commission meeting in order to provide additional information requested in the staff report, listed above. The applicant has submitted a geotechnical report and a critical lot plan, but not a grading plan identifying and preserving trees eight inches in diameter, in compliance with the special policies.

Geotechnical Report

The applicant submitted a geotechnical report for the referenced project. The report states that construction on this site is possible, but it has to meet four requirements listed in the report in addition to some possible complications that are unknown at this time. It is also recommended that they be required to supply a certification letter stating that the site has been constructed in compliance, also stamped by a registered engineer, prior to the issuance of a Use and Occupancy permit.

Critical Lot Plan

The applicant submitted a critical lot plan stamped by a registered engineer. This plan shows the proposed building site along the ridgeline. The site is accessed by an extension of the existing driveway at a slope of



Metro Planning Commission Meeting of 03/27/08

20.5%. The driveway also requires a pre-split weathered rock wall, which exists under the soil at four to ten feet above the driveway, and a retaining wall of seven feet. The specifications for the weathered rock wall are not called out in the geotechnical report, as stated on the plans. Additionally, the geotechnical report assumes a driveway at a slope of 12% to 14%. There are concerns about the discrepancy in the slope of the driveway between the two submittals, in addition to a pre-split wall situated within weathered rock. Weathered rock is not as sound as solid rock and has a tendency for pieces to flake off, or slough.

The Fire Marshal has concerns about access to the building site in the event of a fire. If a fire truck is able to navigate up the driveway of 20.5% slope, the turnaround next to the house is not large enough to accommodate a fire truck.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

Denied

Actual or projected flow data shall be provided on plat showing compliance with 2006 edition of NFPA 1 table H.

The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft.

Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

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.

The final plat shall show location for all fire hydrants before plat approval.



Metro Planning Commission Meeting of 03/27/08

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.

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.

All dead end roads over 150 ft. in length require a 100 ft. diameter turnaround, this includes temporary turnarounds.

Temporary T-type turnarounds that last no more than one year shall be approved by the Fire Marshal's Office.

Due to new information about this project it will be rejected.

STAFF RECOMMENDATION

This request does not meet the lot comparability requirements of the Subdivision Regulations. 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. The applicant has not submitted sufficient information to justify an exception to the lot comparability requirements of the Subdivision Regulations. Therefore, staff recommends disapproval of an exception to lot comparability and disapproval of the final plat application.

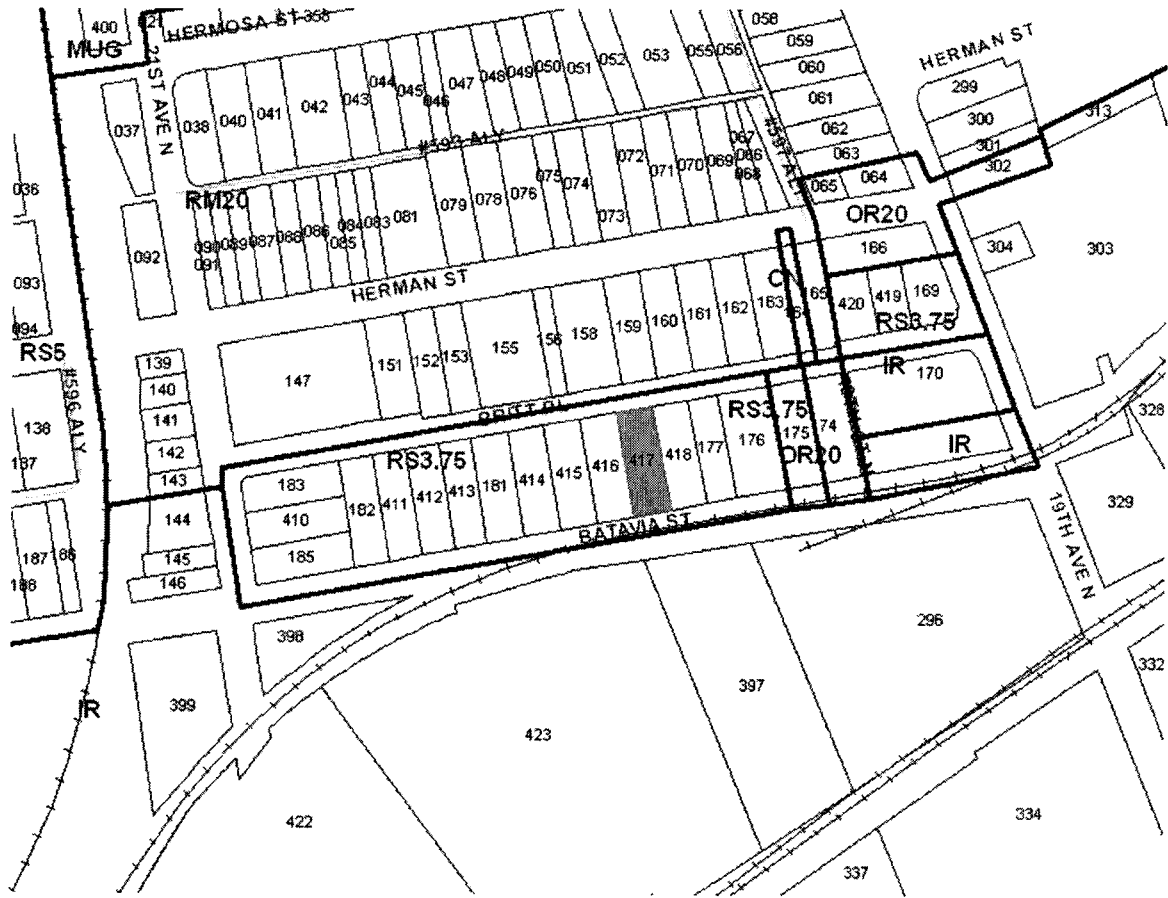
CONDITIONS (if approved)

Submit a revised plat with the following corrections:

1. Add parcel numbers.
2. Correct square footage calculations for lots.
3. Show ingress/egress easement for Lot 2 on the southern portion of Lot 1. Show ingress/egress easement for Lot 1 for the portion of the driveway on Lot 2.
4. Add subdivision number.

SEE NEXT PAGE

ZONING MAP AMENDMENTS



2008Z-027U-08

Map: 092-07

Parcel(s): 417

Subarea 8

Council District 19



Project No.	Zone Change 2008Z-027U-08
Council District	19 - Gilmore
School District	7 - Kindall
Requested by	Latanza E. Sales and Jerell Harris, owners
Staff Reviewer	Sexton
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

A request to change from Single-Family Residential (RS3.75) to Mixed Used Neighborhood (MUN) zoning for property located at 1923 Britt Place, approximately 430 feet west of 19th Avenue North (0.17 Acres).

Existing Zoning
RS3.75 District

RS3.75 requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre.

Proposed Zoning
MUN District

Mixed Use Neighborhood is intended for a low intensity mixture of residential, retail, and office uses.

**NORTH 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 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.

*Fisk-Meharry Detailed Neighborhood
Design Plan, Single Family
Attached and Detached (SFAD)*

SFAD is intended for a mixture of single family housing that varies based on the size of the lot and the placement of the building on the lot. Detached houses are single units on a single lot (e.g. single family house), while attached houses are single units that are attached to other single family houses (e.g. townhomes).

Consistent with Policy?

No. While the proposed MUN zoning district would allow for uses that would be consistent with the policy, it would also allow for uses that are not consistent such as a bar or nightclub. To ensure that any proposed change use is consistent with the policy, an enforceable



Metro Planning Commission Meeting of 03/27/08

site plan such as an Urban Design Overlay (UDO) or, Planned Unit Development Overlay (PUD) must accompany zone change request, or a Specific Plan zoning district (SP) is required within this location. There was not an UDO or PUD submitted with the proposed zone change request.

The applicant has informed staff that they plan to pursue a permit for a day care center within the existing residence. It would be difficult to accommodate the required parking of one space for each five individuals and the required C-type landscape buffer yard on this 0.17 acre property.

Institutional Special Exceptions 17.16.170 Metro Zoning Code

Institutional uses such as a day care center may be approved for residentially zoned property through a Special Exception permit approved by the Board of Zoning appeals if certain criteria are met. For day care center with 13 to 25 individuals, the criteria include:

- A minimum of one half acre lot size;
- No driveway access to a minor local street; and
- A minimum A-type landscape buffer yard.

This site does not meet the minimum lot size for a Special Exception to permit a day care center.

PUBLIC WORKS RECOMMENDATION

Typical and Maximum Uses in Existing Zoning District: RS3.75

Land Use (ITE Code)	Acres	Density	Total Dwelling Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.17	9.89	1	10	1	2

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.17	0.60	4,443	122	16	16

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.17	0.169	1,251	90	9	25



Metro Planning Commission Meeting of 03/27/08

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
--				+112	+15	+14

STAFF RECOMMENDATION

Staff recommends disapproval of the zone change request. While the proposed MUN zoning district would allow for uses that would be consistent with the area's policy, it would also allow for uses that are not consistent. In addition the NG policy requires that zone change requests be accompanied by an UDO or PUD and neither were submitted for this site.

NO SKETCH

⋮



Project No.	Zoning Text Change 2008Z-028T
Project Name	Animal Boarding
Council Bill	BL2008-167
Council District	Countywide
Requested By	Councilmember Ronnie Steine
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request to amend the Metro Zoning Code to create a new use called “Animal Boarding Facility”, and to allow it with conditions in the Industrial Warehousing/ Distribution (IWD) and Industrial Restrictive (IR) zoning districts.

APPLICATION DETAILS

Section 17.04.060 of the Metro Zoning Code does not contain any definition for “Animal Boarding Facility,” nor is it listed as a use in Section 17.08.030, the Zoning District Land Use Table. This request will amend the Metro Zoning Code to provide a definition for “Animal Boarding Facility” and stipulate the zoning districts in which the use will be permitted with conditions.

Proposed Definition

“Animal boarding facility” means any buildings or land used, designated or arranged for the temporary boarding, care and grooming of domesticated dogs and cats for profit. This use does not include an animal hospital.”

Proposed Conditions

Animal Boarding Facilities are proposed to be *permitted with conditions* within the Industrial Warehousing/ Distribution (IWD), and the Industrial Restrictive (IR) districts. Conditions are as follows:

1. Setback. No part of any building or structure in which animals are housed shall be closer than two hundred feet, and no kennel run shall be located within one hundred feet, from any existing residence.
2. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs, and walls shall be of an impervious material to permit proper cleaning and disinfecting.



Metro Planning Commission Meeting of 3/27/08

3. Cages. Each animal boarded at the facility shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
4. Runs. Each run must have at least a six-foot high fence completely surrounding it. Fences must be maintained in escape-proof condition. Runs shall provide an adequate exercise area and protection from the weather. All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
5. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.
6. On-Site Waste Collection. All on-site waste shall be housed either within the kennel building or an accessory structure, and all waste shall be disposed of in a sanitary fashion no less frequently than one time per week. The drainage of all liquid by-products shall be discharged into a permitted sanitary sewer line or septic tank and shall not be disposed of by way of storm sewers, creeks, streams or rivers.”

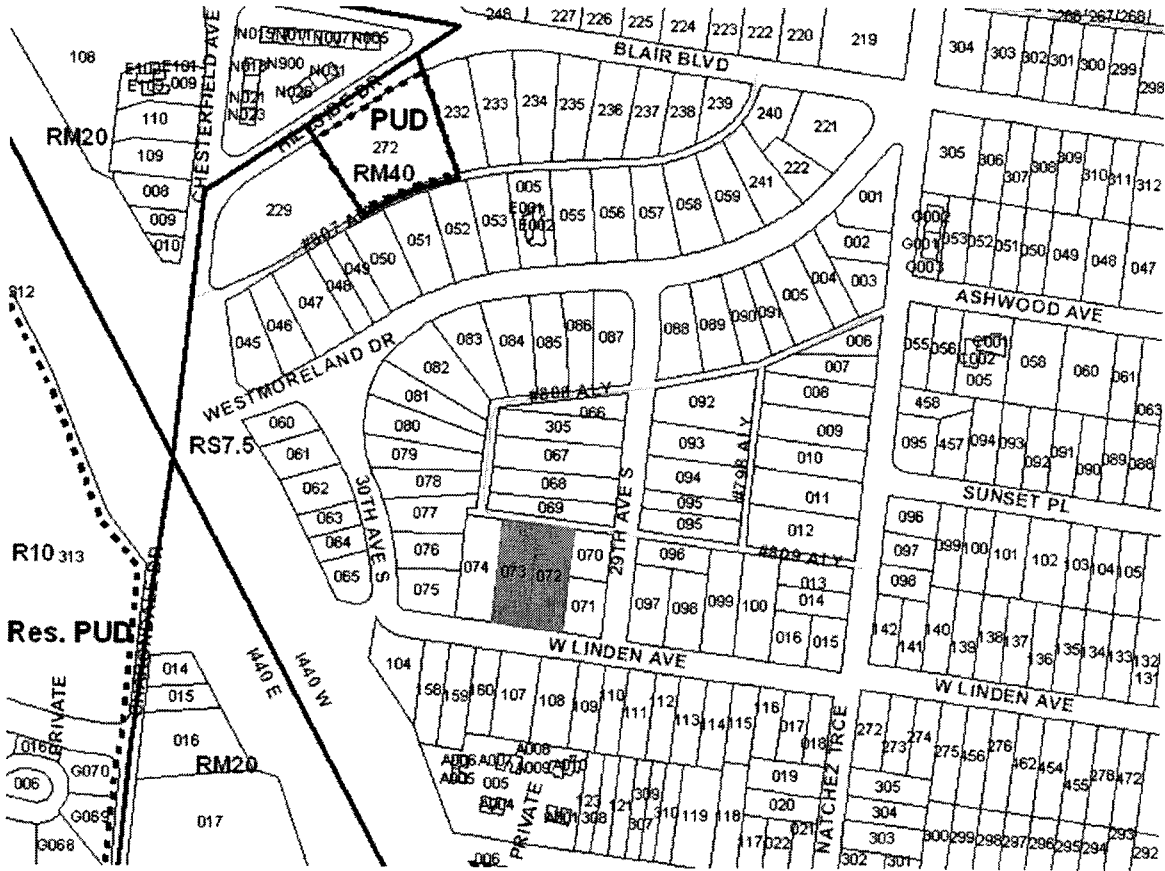
Analysis

While animal boarding facilities exist within Nashville Davidson County, this is not a listed use in the Metro Zoning Code. By listing the use and stipulating which zoning district the use is permitted with conditions, Metro can more effectively control the use and can ensure that it is conducted in a safe and humane way, and that the use will not have a negative impact on neighboring properties.

STAFF RECOMMENDATION

Staff recommends approval of the proposed ordinance.

SEE NEXT PAGE



2008Z-029U-10

Map: 104-14

Parcel(s): 072, 073

Subarea 10

Council District 18



Project No.
Council District
School District
Requested by

Zone Change 2008Z-029U-10
18 - Durbin
8 - Fox
Dennis and Delia Corrieri, owners

Staff Reviewer
Staff Recommendation

Sexton
Approve

APPLICANT REQUEST

A request to change from Single-Family Residential (RS7.5) to One and Two-Family Residential (R8) zoning for property located at 2902 and 2904 W. Linden Avenue, approximately 95 feet west of 29th Avenue, South (0.70 Acres).

Existing Zoning
RS7.5 District

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

Proposed Zoning
R8 District

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

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.

Consistent with Policy?

Yes. The Green Hills - Midtown Community Plan identifies a need for infill and intensification of residential uses. In addition, the R8 zoning district complies with the residential zoning density range of 4 to 9 dwelling units per acre as specified within the Residential Medium Policy.

RECENT REZONINGS

On April 26, 2007, The Planning Commission recommended approval of a mass down zoning of this area from R8 to RS7.5, requested by Councilmen Shulman. This zone change was passed by Metro Council and became effective May 17, 2007.



Metro Planning Commission Meeting of 3/27/2008

PUBLIC WORKS RECOMMENDATION

Maximum Uses in Existing Zoning District: RS7.5

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.70	4.94	3	29	3	4

Maximum Uses in Proposed Zoning District: R8

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.70	4.63	3	29	3	4

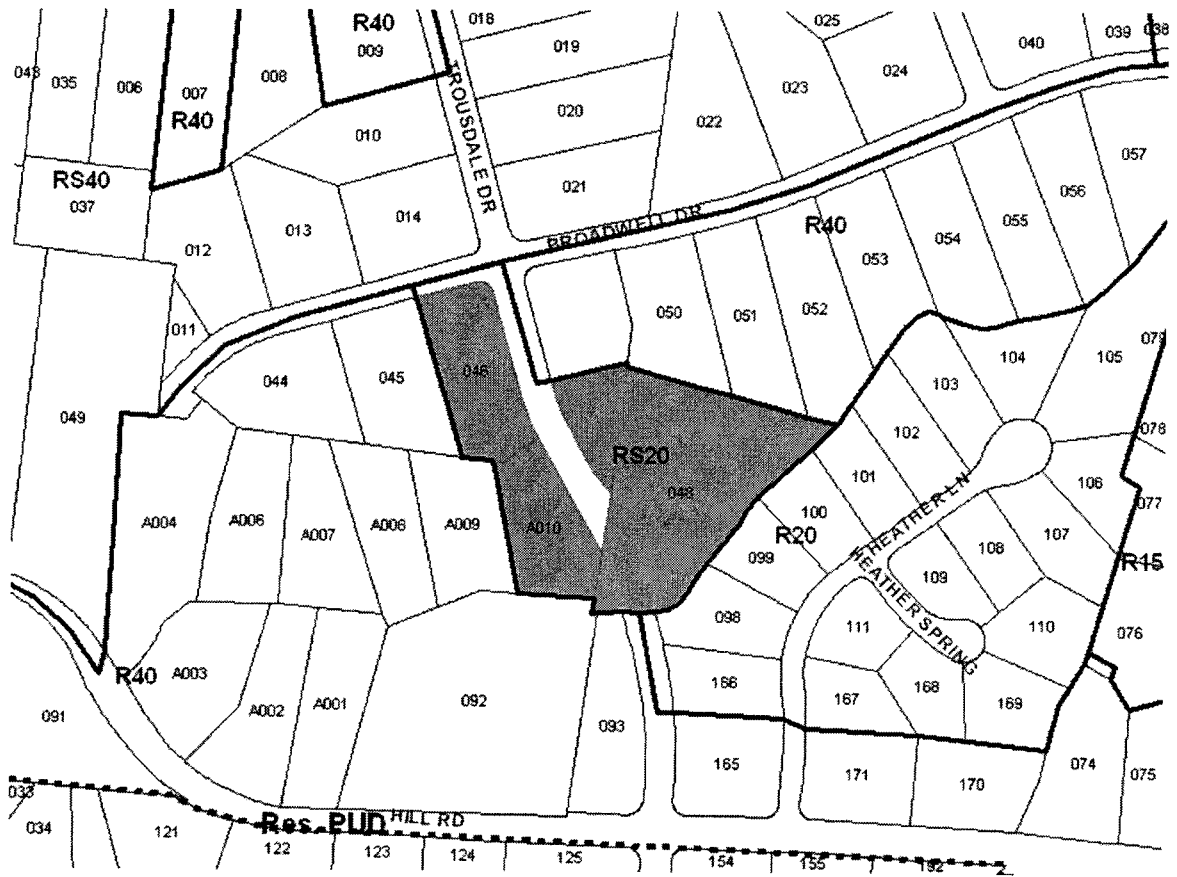
Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--		--		0	0	0

STAFF RECOMMENDATION

Staff recommends approval because both the current RS7.5 and proposed R8 zoning are compatible with the land use policy and development pattern of the area.

SUBDIVISION CONCEPT PLANS



2008S-061U-12
BRENTWOOD BRANCH ESTATES
 Map: 160-08-0- Parcel(s): 010A
 Subarea 12
 Council District 26



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2008S-061U-12
Brentwood Branch Estates
26 – Atkins
2 - Brannon
Michael and Sharon Yates and Dixon Northcutt, owners,
Dale & Associates, surveyor

Staff Reviewer
Staff Recommendation

Jones
Approve with conditions

APPLICANT REQUEST
Concept Plan

A request for concept plan approval to create a cluster-lot subdivision of 8 single-family lots and to remove the reserve parcel status of property at 531 Broadwell Drive, for properties located at Hill Road (unnumbered), and Trousdale Drive (unnumbered), at the terminus of Trousdale Drive south of Broadwell Drive, zoned Single-Family Residential (RS20) (4.93 acres).

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.

SUBDIVISION DETAILS

The concept plan proposes to create 8 single-family, cluster lots, and to remove the reserve status from a parcel within the development. The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS20 (minimum 20,000 sq. ft. lots) to RS10 (minimum 10,000 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 10,008 square feet to 25,992 square feet.

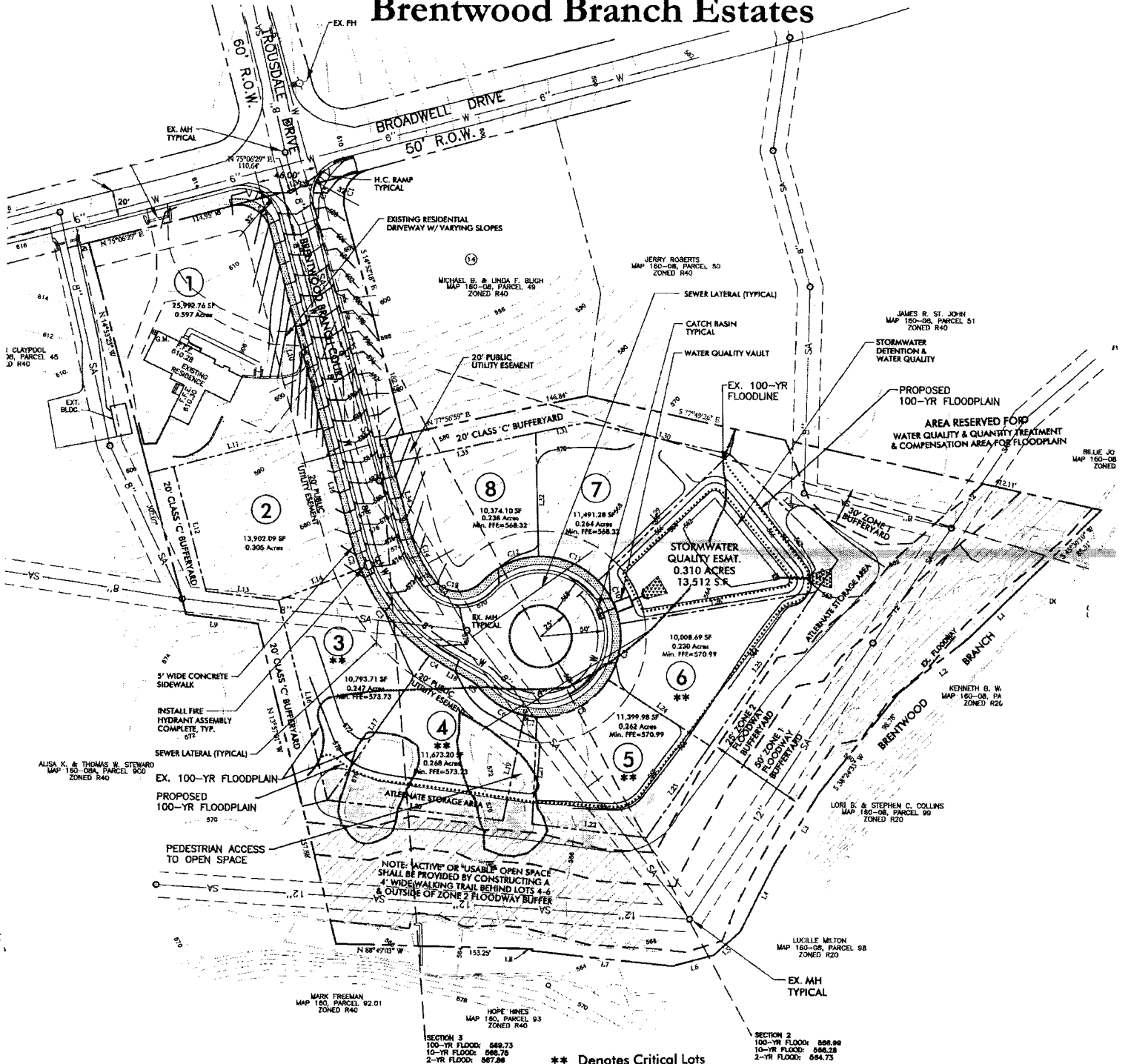
Open Space

Cluster lot developments are required to provide 15 percent common open space per phase. The concept plan designates 7 percent (.34 acres) of the site as active open space in the form of a walking trail and 37 percent (1.85 acres) as passive open space for a total of 44 percent open space.

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. The concept plan depicts the 100-year floodplain affecting lots 3 through 6. Each lot has been

Brentwood Branch Estates



SECTION 3
 100-YR FLOOD: 589.73
 10-YR FLOOD: 568.70
 2-YR FLOOD: 567.86

SECTION 2
 100-YR FLOOD: 566.99
 10-YR FLOOD: 558.28
 2-YR FLOOD: 554.73

** Denotes Critical Lots



Metro Planning Commission Meeting of 3/27/2008

Floodway/Floodplain

labeled as critical on the plan and will require a critical lot plan at the time of development.

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 percent of the natural floodplain area, including all floodway area, undisturbed and in its natural state. Approximately 2.72 acres is located within the floodplain. The plan states that 41 percent of the floodplain will be disturbed, leaving roughly 59 percent of the floodplain undisturbed.

Sidewalk

A five foot sidewalk is planned along the western right-of-way and extends around the cul-de-sac terminating at lot 8.

Access/Street Connectivity

Access to the site will be available by a public road that intersects Trousdale Drive and Broadwell Drive. The concept plan proposes 46 feet of right-of-way terminating in a cul-de-sac. The applicant has also applied to abandon the current 60 feet of right-of-way that extends south off of Broadwell Drive and realign the roadway to facilitate a cluster lot design.

History

In 2003, a request was made to close an unimproved portion of Trousdale Drive from Broadwell Drive to Hill Road. The Planning Department staff recommended disapproval of the closure because the extension was vital to the long range transportation plan for this area. However, the request was deferred indefinitely and never voted on by the Planning Commission or the Council. Consequently, community opposition to the planned extension of Trousdale Drive led to its removal from the Southeast Community Plan, but the extension remains depicted on the Adopted Major Street and Collector Plan since that plan has not yet been updated.

In addition to the applicant's request associated with this plat to abandon and relocate the portion of right-of-way for Trousdale Drive that runs south off of Broadwell Drive, the council representative has also requested abandonment of the remaining unimproved right of way that would have connected Trousdale to Hill Road. If this abandonment request ultimately is approved by the Metro Council, then there it would not be possible to make a direct connection from Trousdale Drive to Hill Road.



Metro Planning Commission Meeting of 3/27/2008

PUBLIC WORKS RECOMMENDATION

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

STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

1. 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.
2. Actual or projected flow data shall be provided on plat showing compliance with 2006 edition of NFPA 1 table H.
3. 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>)
4. All roadways with-two way traffic shall comply with public works minimum requirements.

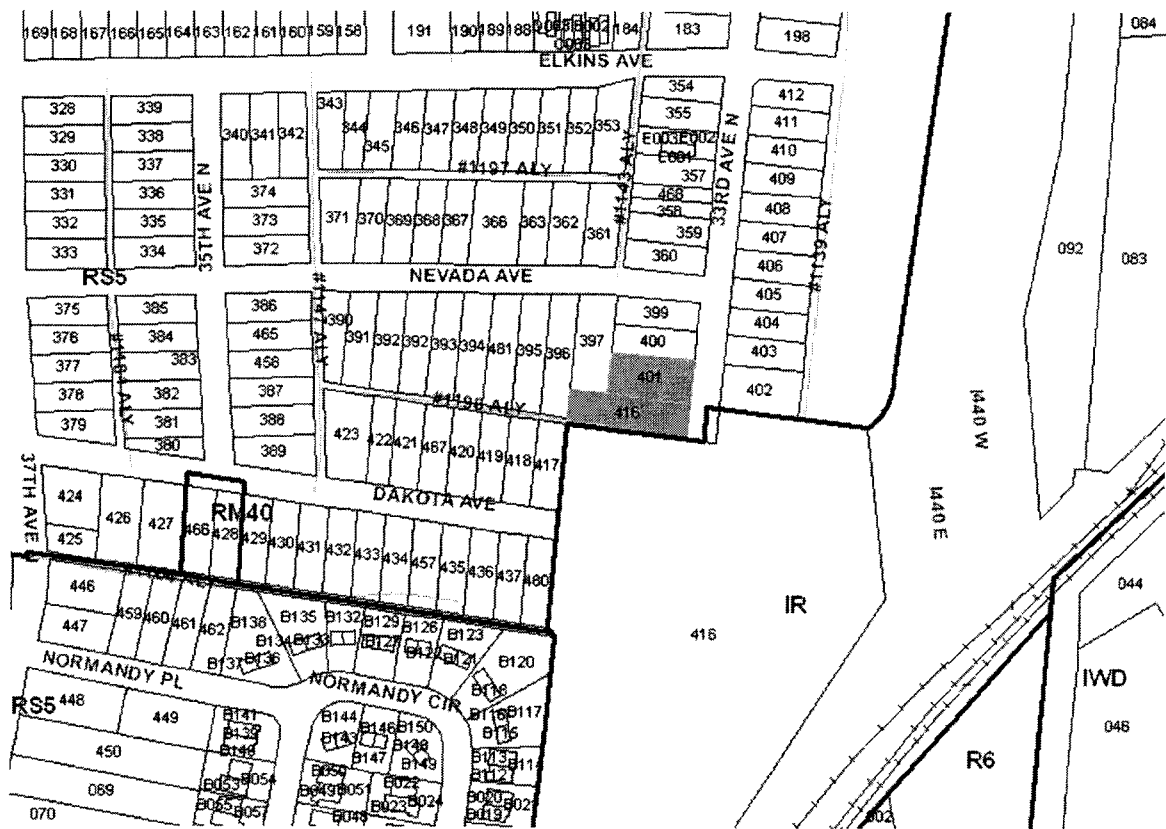
STAFF RECOMMENDATION

Staff recommends approval with conditions of the concept plan and the request to remove the reserve status from the adjacent parcel. The recommendation to approve the concept plan is not an endorsement of the elimination of an extension of Trousdale Drive to connect with Hill Road. Staff would support retaining the connection as it is important to the efficient movement of traffic in the area, but also recognizes the land use principles established in the community plan. Since the extension is no longer a part of the community's transportation structure plan, staff's recommendation is guided accordingly.

CONDITIONS

1. Prior to final plat approval, the abandonment of right-of-way on the unimproved portion of Trousdale Drive from Broadwell Drive to Brentwood Branch must be approved by Council.
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.

FINAL PLAT SUBDIVISIONS



2007S-195U-07

HORTENSE PLACE, RESUB. LOT 94 (formerly NEVADA HEIGHTS, RESUB. Lot 94)

Map: 092-13

Parcel(s): 401, 416.01

Subarea 7

Council District 24



Project No.	Subdivision 2007S-195U-07
Project Name	Hortense Place, Resubdivision, Lot 94
Council District	24 - Holleman
School District	9 - Warden
Requested by	Dream Inc, owner, Wamble & Associates, surveyor
Staff Reviewer	Jones
Staff Recommendation	<i>Approve with condition</i>

APPLICANT REQUEST

Final Plat

A request for final plat approval to create one lot and dedicate 1,532 square feet of right-of-way along 33rd Avenue North, approximately 145 feet south of Nevada Avenue (0.52 acres), zoned Single-Family Residential (RS5).

ZONING

RS5 District

RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

PLAN DETAILS

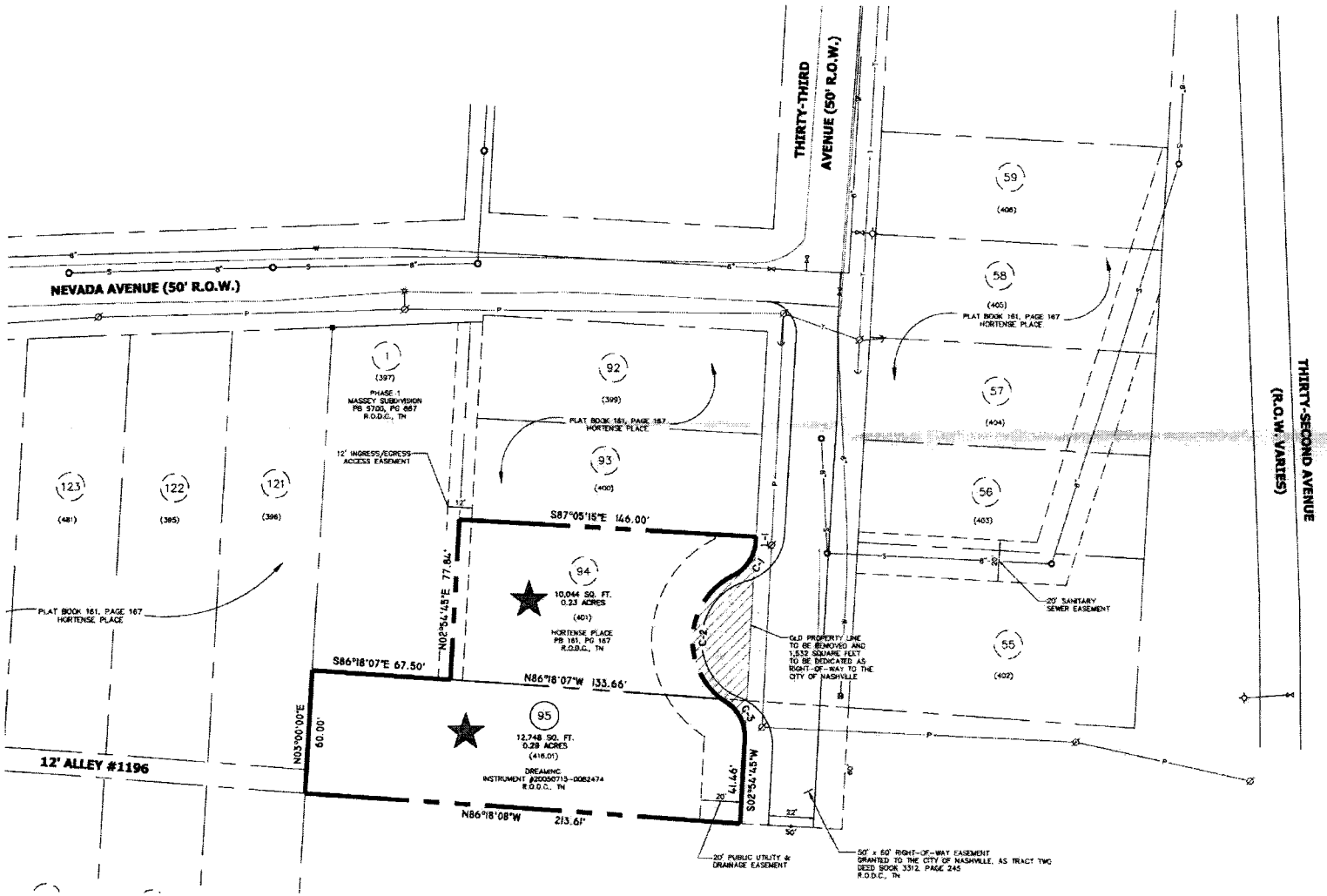
This subdivision proposes to dedicate 1,532 square feet of right-of-way and create one lot from an existing parcel. Lot 94 is being amended to provide additional right-of-way along 33rd Avenue, North. The amended Lot 94 will contain 10,044 square feet of area, and the new Lot 95 will contain 12,748 square feet.

While a final plat of subdivision can be approved administratively, 33rd Avenue, North is a substandard street at this location and will need to be improved to meet Public Works standards. Due to the need to bring the street up to current standards, this subdivision is classified as a major subdivision and requires Planning Commission approval.

This portion of 33rd Avenue, North is a dead-end street. As the dead-end street will be more than 150 feet, the applicant has provided an "eye-brow" turn-around to satisfy the requirements of Public Works and the Fire Marshal.

Critical Lots

Proposed lots containing natural or manmade features affecting the feasibility of construction must be designated as critical during the review process. Each lot contains 20 percent or greater slope and has been identified as critical lots on the plan. In addition,



NEVADA AVENUE (50' R.O.W.)

THIRTY-THIRD AVENUE (50' R.O.W.)

THIRTY-SECOND AVENUE (R.O.W. VARIES)

123 (481)
122 (395)
121 (396)

PLAT BOOK 161, PAGE 167
HORTENSE PLACE

1 (397)
PHASE 1
MASSEY SUBDIVISION
PB 9705, PG 687
R.O.D.C., TN

12' INGRESS/EGRESS
ACCESS EASEMENT

N00°01'45"E 77.84'

92 (399)

93 (400)

94 (401)

95 (416.01)

S87°05'15"E 166.00'

N86°18'07"E 67.50'

N86°18'07"W 133.66'

N86°18'08"W 213.61'

DREAMAC
INSTRUMENT #00000713-0082474
R.O.D.C., TN

10,044 SQ. FT.
0.23 ACRES

12,748 SQ. FT.
0.29 ACRES

10,044 SQ. FT.
0.23 ACRES

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

HORTENSE PLACE
PB 181, PG 187
R.O.D.C., TN

OLD PROPERTY LINE
TO BE REMOVED AND
1,620 SQUARE FEET
TO BE DEDICATED AS
BOUNT-OF-WAY TO THE
CITY OF NASHVILLE

20' PUBLIC UTILITY &
DRAINAGE EASEMENT

50' x 60' RIGHT-OF-WAY EASEMENT
GRANTED TO THE CITY OF NASHVILLE, AS TRACT TWO
DEED BOOK 3312, PAGE 245
R.O.D.C., TN

20' SANITARY
SEWER EASEMENT

20'

20'

20'

20'

20'

20'

20'

20'

20'

20'

20'

20'

20'

12' ALLEY #1196

N03°00'00"E
60.00'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

N87°05'20S
197.11'

59 (408)

58 (400)

57 (404)

56 (403)

55 (402)

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE

PLAT BOOK 181, PAGE 187
HORTENSE PLACE



Metro Planning Commission Meeting of 3/27/2008

Section 17.28.030 of the Metro Zoning Code states that for single and two-family lots of less than one acre, any natural slopes equal to or greater than 25 percent must be platted outside of the building envelope. At the time of development, a critical lot plan will be required for each lot to ensure any areas of severe slope are preserved to the greatest extent possible in a natural state.

Lot Comparability

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

Lot comparability analysis was performed and yielded the following information:

Street Name	Minimum lot size (sq. ft.)	Minimum lot frontage (linear ft.)
33 rd Avenue	6,969	N/A

As proposed, each lot would have the following area and street frontage:

- Lot 94: 10,044 sq. ft., (0.23 acres), with 80 ft. of frontage
- Lot 95: 12,748 sq. ft., (0.29 acres), with 60 ft. of frontage

Lot comparability for frontage does not apply since the right of way terminates at a permanent dead end and each lot has 35 feet or more of frontage.

Sidewalks

Sidewalks are not required with the recording of this plat. Although the property is located within the urban services district, the construction of sidewalks is not required because the property is located within an infill setting on a permanent dead-end street.

PUBLIC WORKS RECOMMENDATION

Roadway improvements to be bonded with the recording of the final plat.



Metro Planning Commission Meeting of 3/27/2008

**STORMWATER
RECOMMENDATION**

Approved

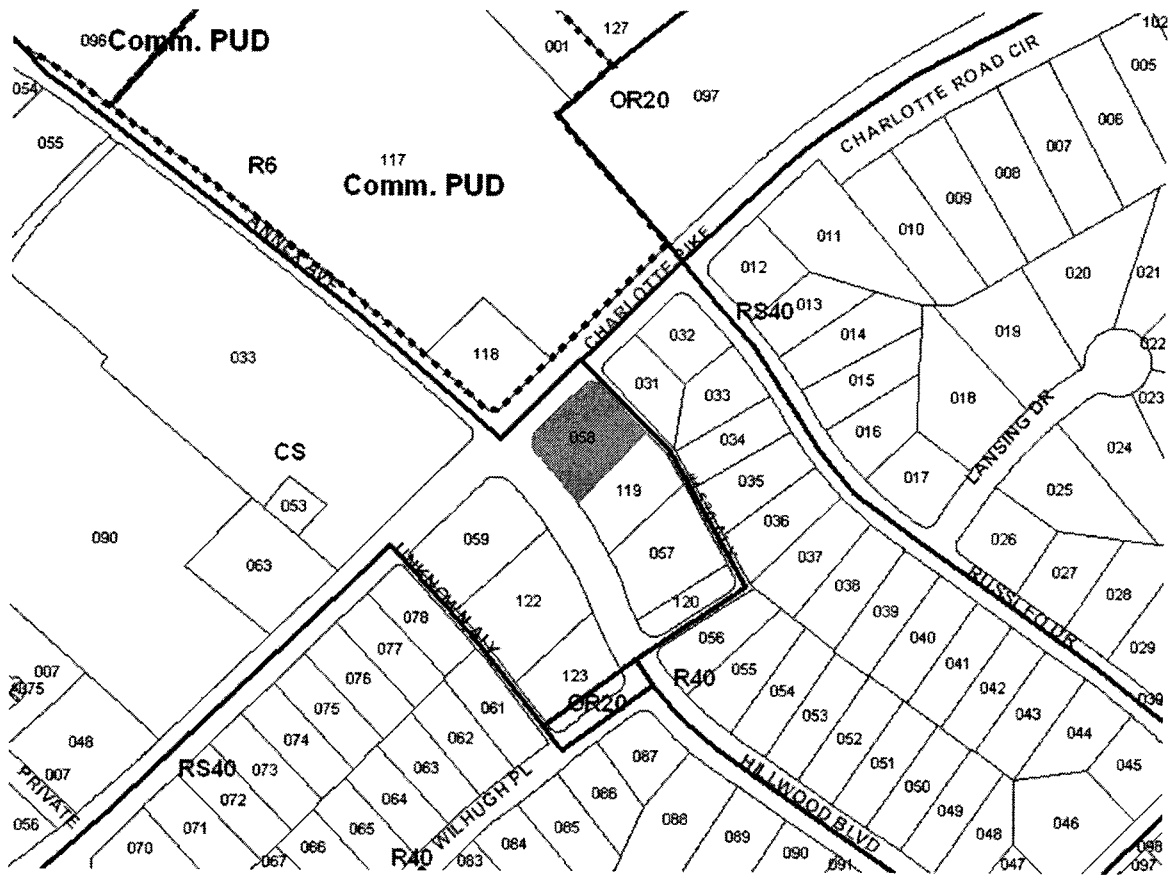
STAFF RECOMMENDATION

Staff recommends approval with condition of the final plat.

CONDITIONS

1. Add new parcel number 490 to Lot 95.

SEE NEXT PAGE



2008S-060A-07
 HORTON HEIGHTS, RESUB. LOT 1 SETBACK AMENDMENT
 Map: 102-08 Parcel(s): 058
 Subarea 7
 Council District 24



Project No.

Subdivision 2008S-060A-07

Project Name

Horton Heights Setback Amendment

Council District

24 – Holleman

School Board District

9 – Warden

Requested By

Aquaterra Engineering on behalf of Mapco Express Inc., lessee, and Linde Bracey Wilson, Trustee et al, owners

Staff Reviewer

Bernards

Staff Recommendation

Approve

APPLICANT REQUEST

Setback Amendment

A request to remove the platted front setbacks on property located at 6509 Charlotte Pike (0.75 acres), at the northeast corner of Charlotte Pike and Hillwood Boulevard, zoned Commercial Service (CS).

ZONING

CS District

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

SUBDIVISION DETAILS

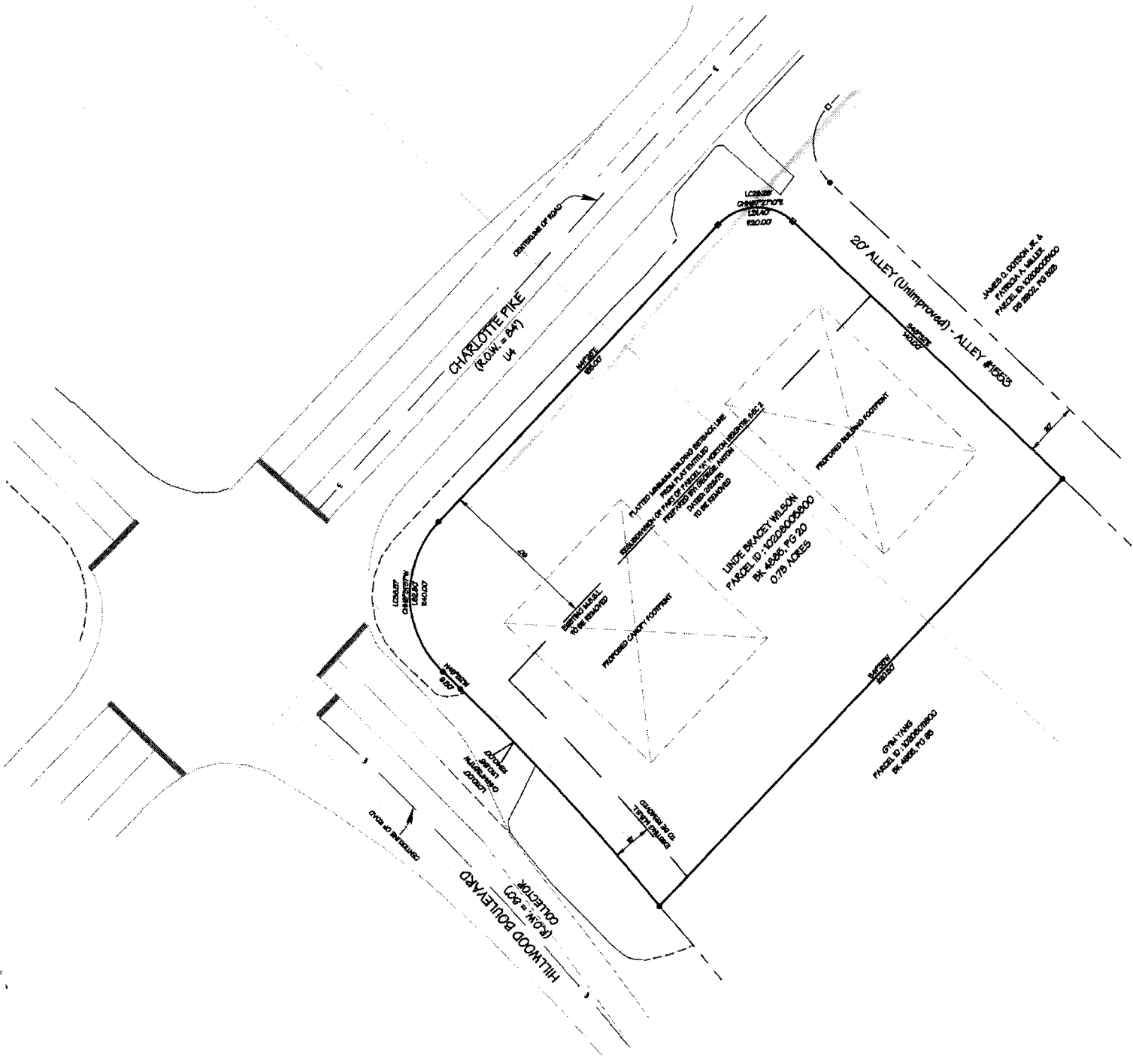
Plan Details

The applicant has requested that the platted setbacks be removed from this commercial property and that the setbacks be determined by the Zoning Code. This lot and the commercial lot across Hillwood Boulevard were platted in 1952, without recorded setbacks. A revised plat in 1975, added a 60-foot setback along Charlotte Pike and a 15 foot setback along Hillwood Boulevard on this property. By removing the platted setbacks and applying the Zoning Code setbacks of 57 feet from the centerline of Charlotte Pike and 45 feet from the centerline of Hillwood Boulevard, the two commercial properties will have the same setbacks.

The removal of the platted setbacks does not relieve this property from complying with all aspects of the Zoning Code including requirements for providing screening of parking areas adjacent to public streets and for providing a landscape buffer yard to screen the commercial use from the adjacent residentially zoned property to the north. A C-type landscape buffer yard will be required along the property line. The residential property will be separated by a twenty foot unimproved alley and a minimum 20 foot buffer yard from any new buildings on this property.

**STORMWATER
RECOMMENDATION**

Approved



CHARLOTTE PIKE
(R.O.W. = 64')

20' ALLEY (Unimproved) - ALLEY #1553

HILWOOD BOULEVARD
(R.O.W. = 60')

JAMES D. STROOK JR. &
PATRICIA A. WALKER
PARCEL ID: 02208000000
PK. 0220.75 20

UNDE BRACKET WALSON
PARCEL ID: 02208000000
PK. 0220.75 20
0.78 ACRES

0.78 ACRES
PARCEL ID: 02208000000
PK. 0220.75 20

FUTURE LANEWAY BOUNDARY LINE
PROPOSED ALLEY
PROPOSED CHURCH
PROPOSED BUNGALOW

PROPOSED CHURCH FOOTPRINT
PROPOSED BUNGALOW FOOTPRINT
PROPOSED GARAGE

L.C.S. 22 076
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 077
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 078
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 079
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 080
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 081
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 082
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 083
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 084
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 085
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 086
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 087
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 088
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 089
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 090
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 091
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 092
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 093
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 094
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 095
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 096
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 097
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 098
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 099
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 100
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 101
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 102
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 103
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 104
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 105
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 106
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 107
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 108
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 109
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 110
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 111
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 112
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 113
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 114
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 115
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 116
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 117
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 118
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 119
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 120
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 121
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 122
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 123
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 124
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 125
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 126
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 127
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 128
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 129
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 130
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 131
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 132
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 133
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 134
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 135
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 136
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 137
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 138
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 139
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 140
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 141
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 142
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 143
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 144
0.25 ACRES
PK. 0220.75 20

L.C.S. 22 145
0.25 ACRES
PK. 0220.75 20



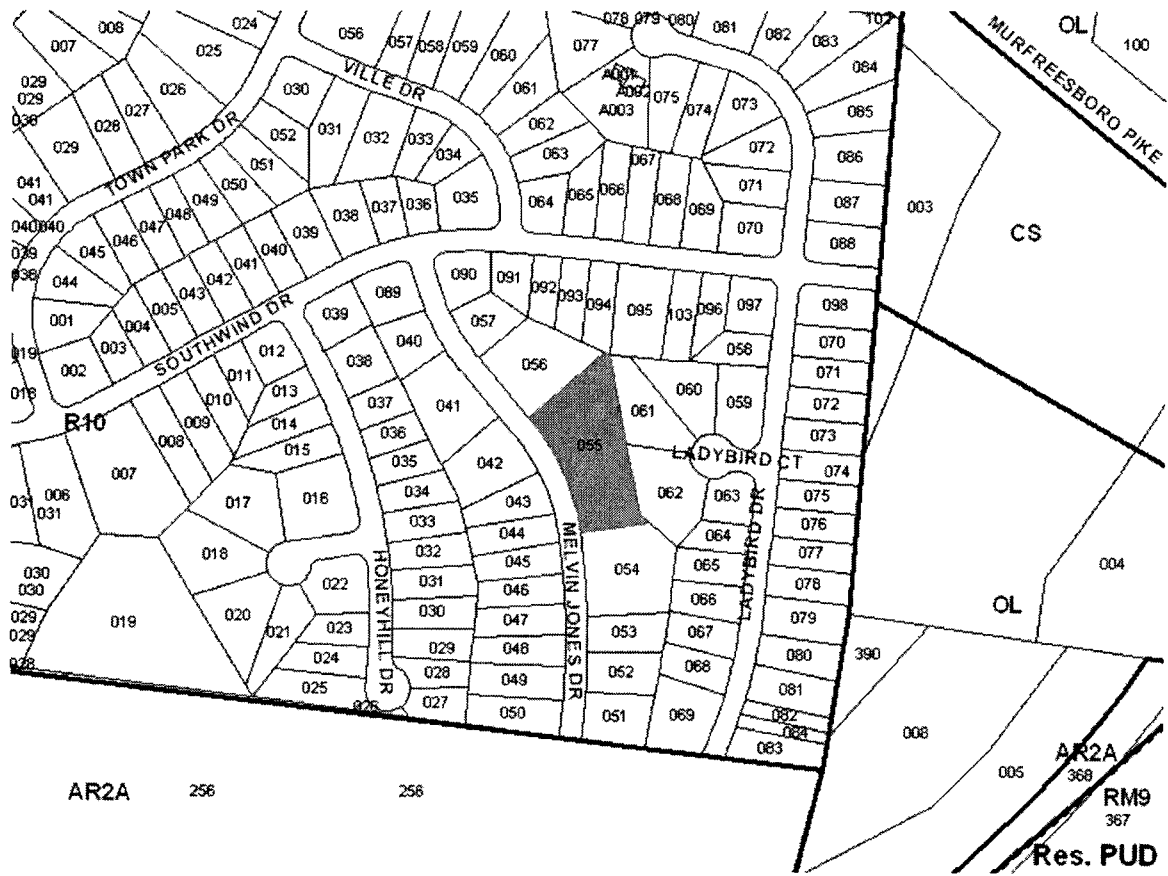
Metro Planning Commission Meeting of 3/27/2008

**PUBLIC WORKS
RECOMMENDATION**

No Exception Taken

STAFF RECOMMENDATION

Staff recommends approval of removing the platted setbacks for this property.



2008S-062U-13
 TOWN PARK ESTATES, RESUB. LOT 61
 Map: 135-05 Parcel: 055
 Subarea 13
 Council District 28



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

Subdivision 2008S-062U-13
Town Park Estates, Resub. Lot 61
28 – Dominy
6 - Johnson
Civil Site Design Group, applicant, for David Waynick, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Final Plat

A request for final plat approval to create 3 lots on 1.3 acres for property located at 316 Melvin Jones Drive, approximately 450 feet south of Southwind Drive, zoned One and Two-Family Residential (R10).

ZONING
R10 District

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

SUBDIVISION DETAILS

Lot Comparability

The plan calls for the creation of three new lots on an existing lot located at 316 Melvin Jones Drive.

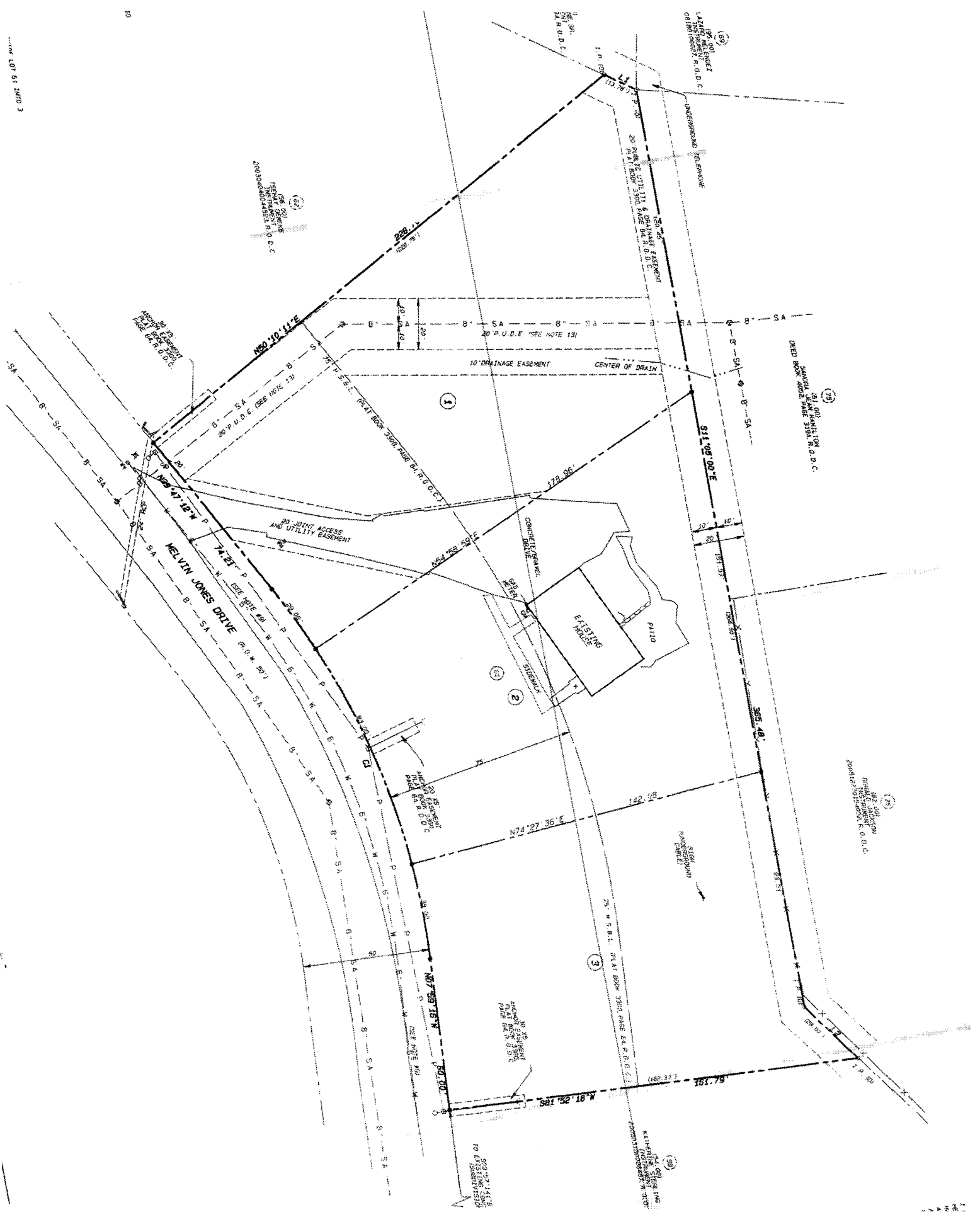
Section 3-5 of the Subdivision Regulations stipulates that new lots in areas previously subdivided and predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.

A 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.):
Melvin Jones Rd.	14,810.40	76.14

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

- Lot 1: 23,345 sq. ft., (.54 acres), with approximately 104 linear ft. of frontage on Melvin Jones Road.
- Lot 2: 18,654 sq. ft., (.43 acres), with approximately 93 linear ft. of frontage on Melvin Jones Road.
- Lot 3: 15,427 sq. ft., (.35 acres), with approximately 95 linear ft. of frontage on Melvin Jones Road.



20' JOINT ACCESS AND UTILITY EASEMENT

20' P.U.D.E. (SEE NOTE 13)

20' JOINT ACCESS AND UTILITY EASEMENT

UNDERGROUND TELEPHONE CENTER

20' JOINT ACCESS AND UTILITY EASEMENT

20' JOINT ACCESS AND UTILITY EASEMENT

20' JOINT ACCESS AND UTILITY EASEMENT

1

2

3

(69)

(70)

(71)

(72)



Metro Planning Commission Meeting of 3/27/2008

Sidewalks

The three proposed lots meet the minimum requirements for area and frontage, and are consistent with existing lots within the area.

This request is within the Urban Services District and requires that sidewalks be constructed on two lots, or that a financial contribution to the pedestrian network be made in lieu of constructing the sidewalks.

STORMWATER RECOMMENDATION

Approved with conditions

1. Show and label the stream Tops of Bank.
2. With reference to comment #1 above, show and label a Public Drainage Easement for the noted stream.
3. This project will require a Grading Plan for the stream crossing.

PUBLIC WORKS RECOMMENDATION

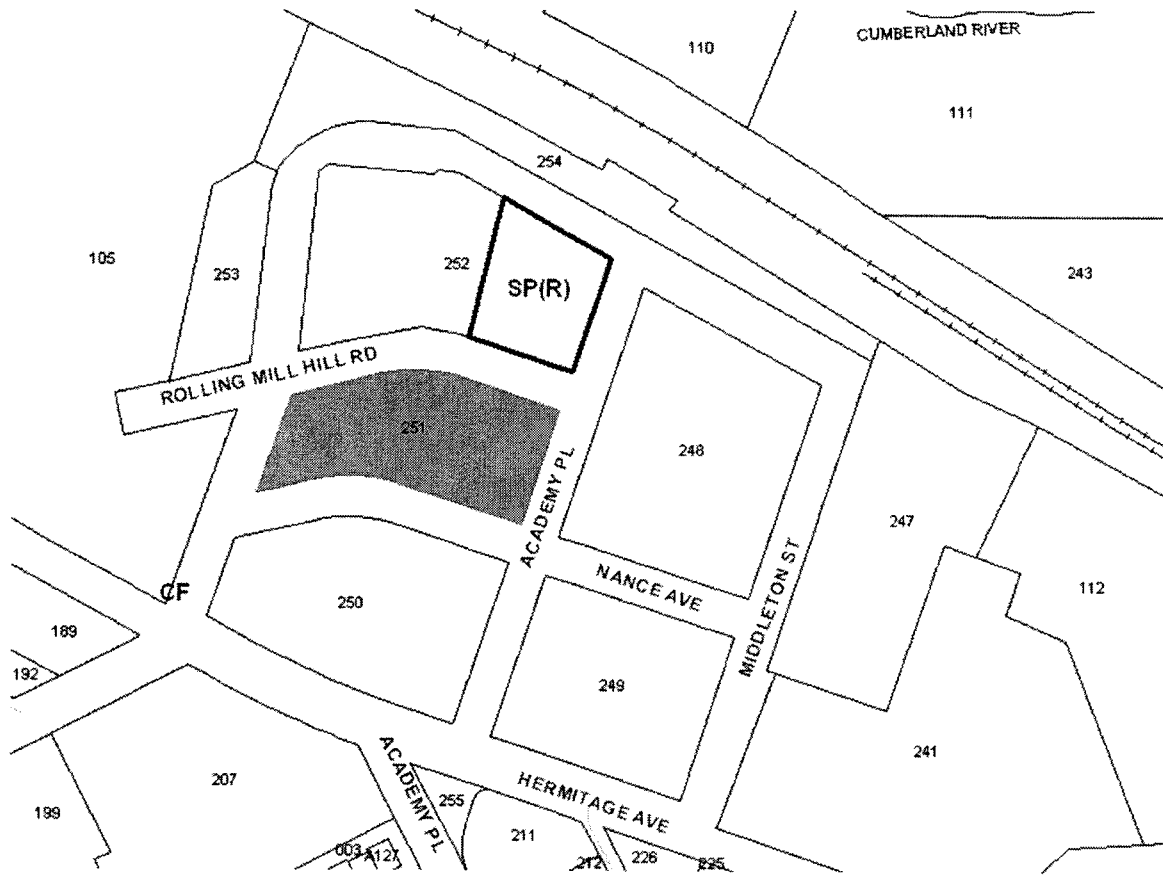
No Exception Taken

STAFF RECOMMENDATION

Staff recommends that the subdivision be approved with conditions.

CONDITIONS

1. Sidewalk must be constructed on two lots only, or the owner shall make a contribution to the pedestrian network in lieu of construction as specified in Section 3-8 of the Metro Subdivision Regulations.
2. Show and label the stream Tops of Bank.
3. With reference to condition #2 above, show and label a Public Drainage Easement for the noted stream.
4. This project will require a Grading Plan for the stream crossing.



2008S-064U-09
ROLLING MILL HILL, LOT 5
Map: 093-11 Parcel(s): 251
Subarea 9
Council District 6



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2008S-064U-09

Rolling Mill Hill, Lot 5

6 - Jameson

7 - Kindall

Metropolitan Development and Housing Agency, owner,
Littlejohn Engineering Associates, surveyor

Staff Reviewer
Staff Recommendation

Logan

Approve

APPLICANT REQUEST

Concept Plan

A request for concept plan approval to create 34 lots and common space at Academy Place (unnumbered) and bounded by Middleton Place, Nance Avenue, and Rolling Mill Hill Road (1.09 acres), zoned Core Frame (CF) and within the Rutledge Hill Redevelopment district.

ZONING

CF District

Core Frame is intended for a wide range of parking and commercial service support uses for the central business District.

PLAN DETAILS

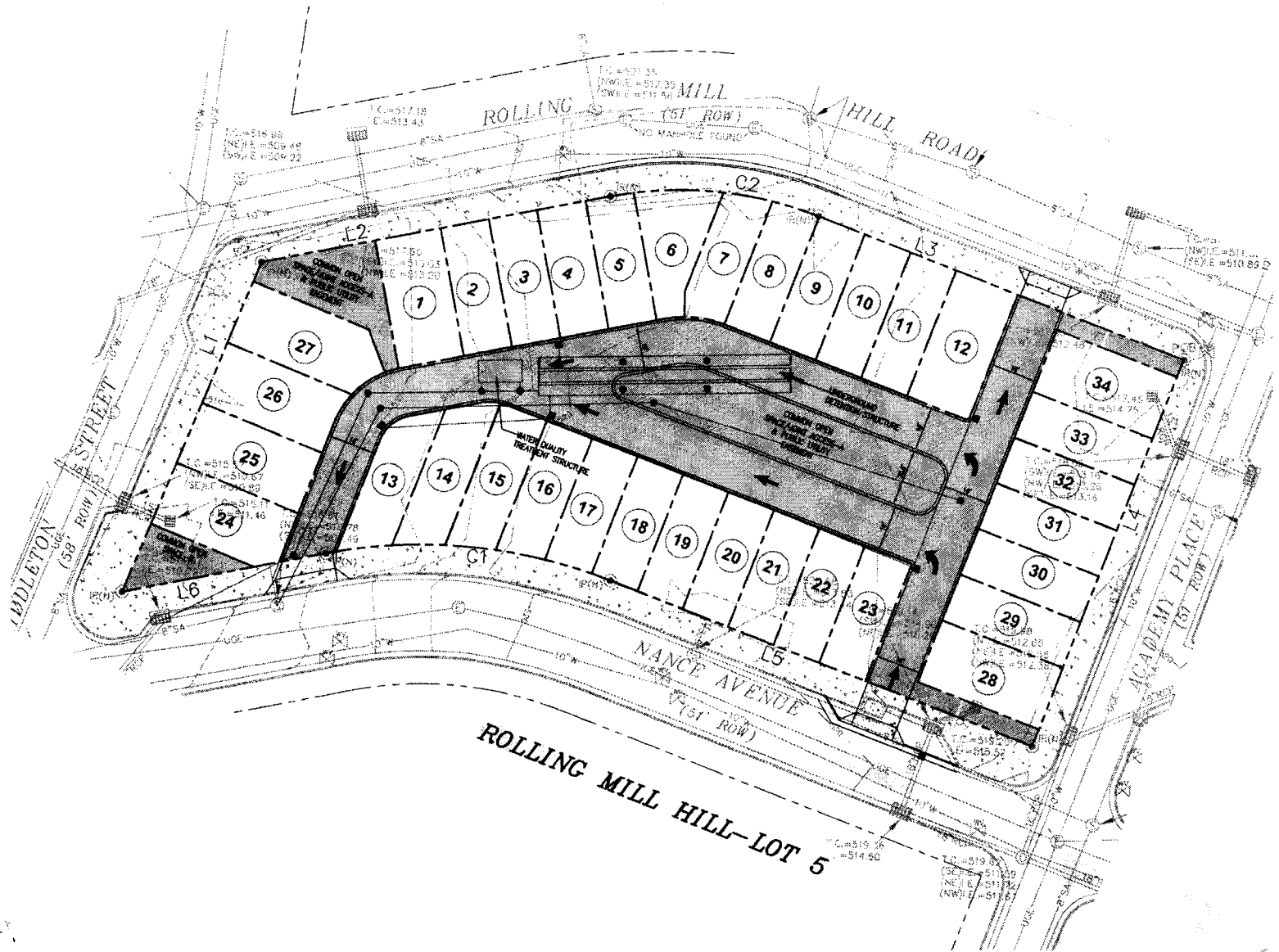
This proposal is within the Rolling Mill Hill development in Downtown Nashville. This subdivision proposes to create 34 lots around a common open space area and a circular driveway. This project consists of attached single-family units. From the street, this portion of the development will look like townhomes, but each unit will be its own lot. The four buildings, ranging from four to twelve lots, are pulled up to the street with rear access.

**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.

Identify plans for solid waste disposal and recycling collection. Identify collection types and dumpster pad location. Identify vehicle access locations. Solid waste disposal and recycling collection to be coordinated with the Department of Public Works Solid Waste Division.

All roadways and solid waste collection locations to accommodate SU-30 turning movements. Provide documentation / turning movement illustration for an SU-30 design vehicle.





Metro Planning Commission Meeting of 3/27/2008

**STORMWATER
RECOMMENDATION**

Approved

STAFF RECOMMENDATION

Staff recommends approval.