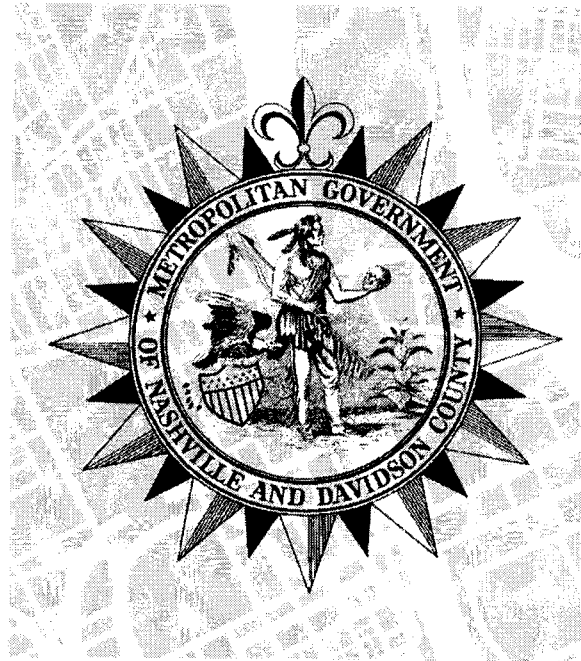


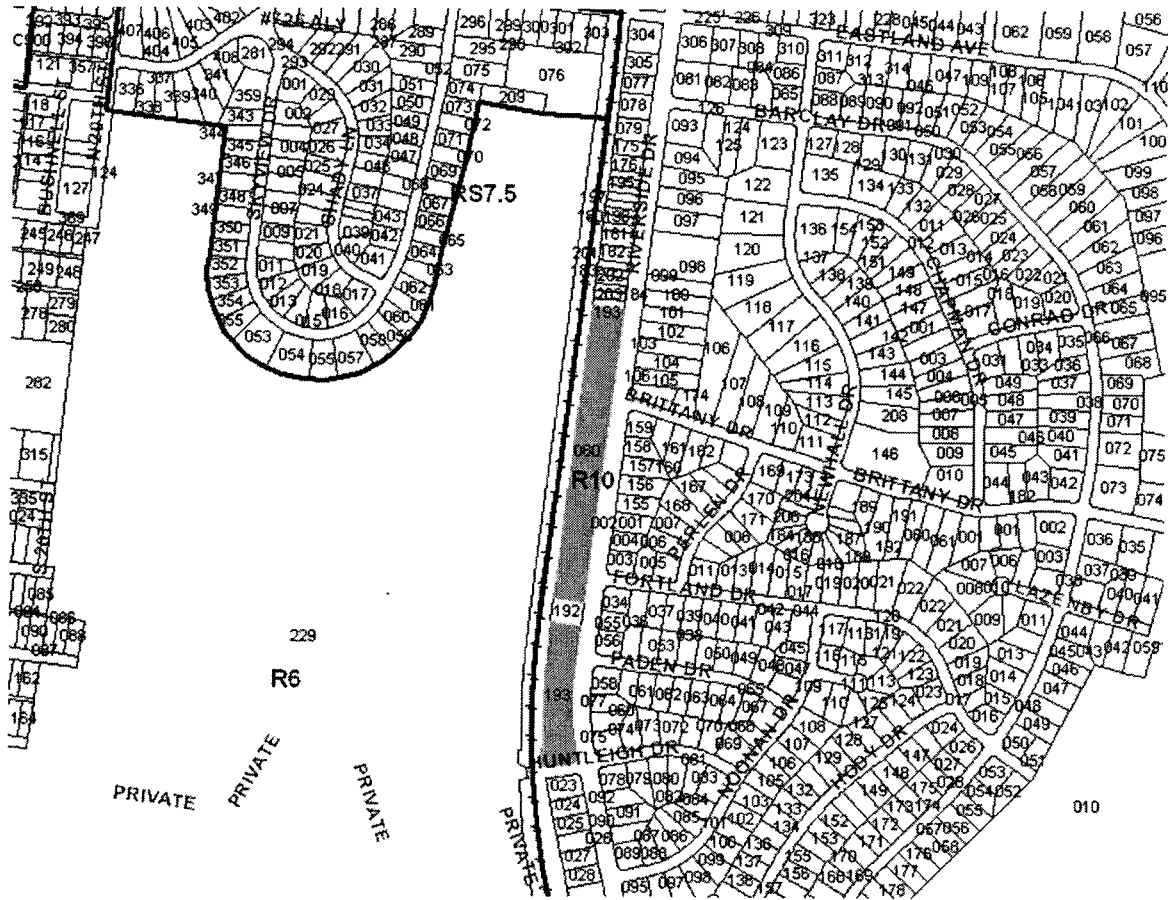
# Metropolitan Planning Commission



Staff Reports

July 24, 2008

## **PREVIOUSLY DEFERRED ITEMS**



**2008S-048U-05**  
 Riverside Drive  
 Map: 083-11 Parcel: 080  
 Map: 083-15 Parcel: 193  
 Subarea 5  
 Council District 7 – Erik Cole



<b>Project No.</b>	<b>Subdivision 2008S-048U-05</b>
<b>Project Name</b>	<b>Riverside Drive</b>
<b>Council District</b>	7 - Cole
<b>School Board District</b>	5 - Porter
<b>Requested By</b>	American Engineers Inc., applicant for Riverside Development LLC, owner
<b>Deferral</b>	<i>Deferred from the February 28, 2008, Planning Commission meeting.</i>
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**APPLICANT REQUEST**  
**Concept Plan**

**A request for concept plan approval for 18 lots on two parcels of land containing 6.41 acres located on the west side of Riverside Drive approximately 1,200 feet south of Eastland Avenue.**

**Zoning**  
R10 District

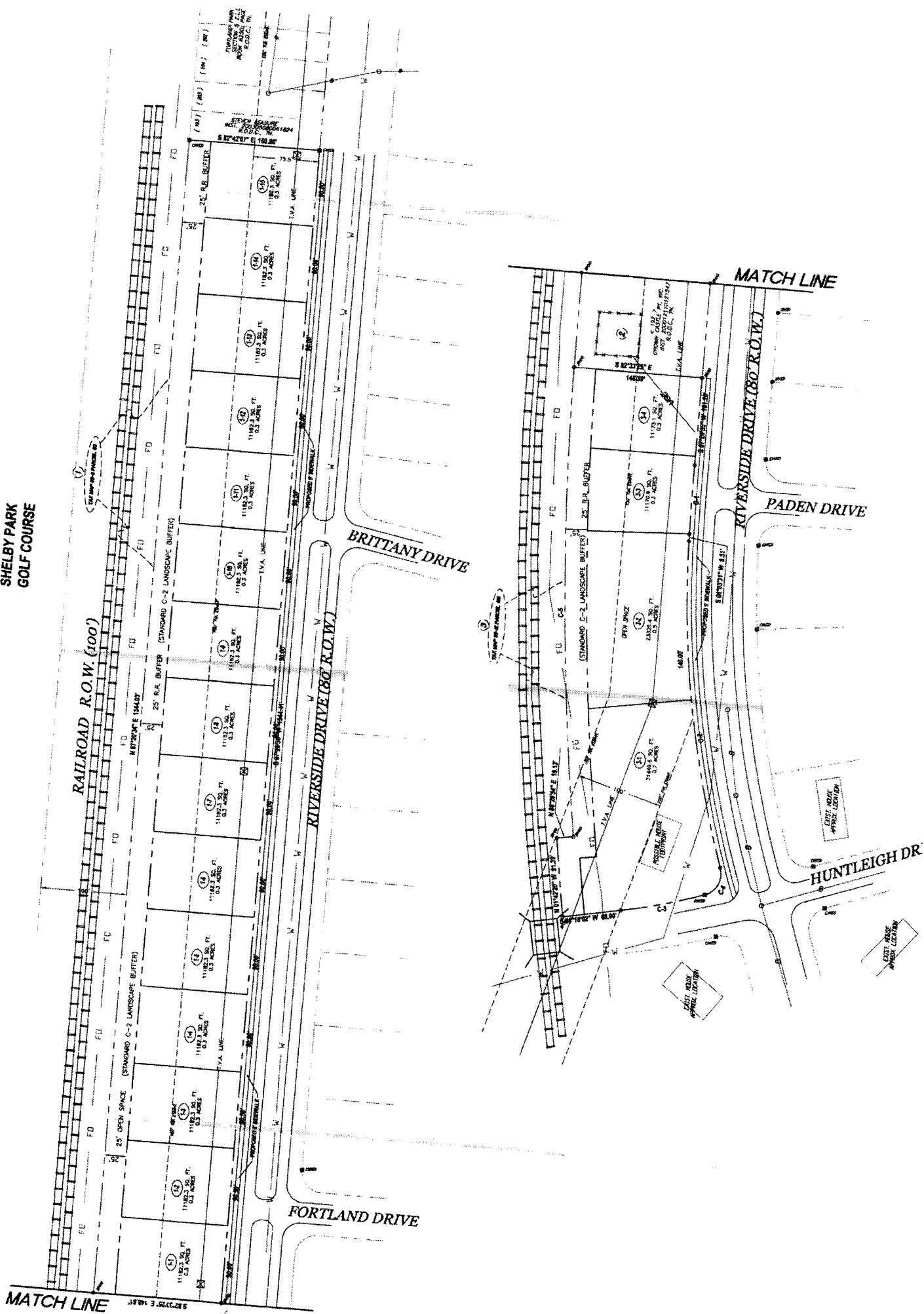
R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

**SUBDIVISION DETAILS**  
History

This request was originally heard by the Planning Commission on February 28, 2008. The applicant deferred the request indefinitely at the request of the Commission so that the applicant could furnish the Commission with additional information regarding concerns with the request. Specifically, the Commission asked the applicant to address possible dumping on the site as well as provide information on the possible effects of overhead power lines on humans.

The applicant has provided Planning Staff with a Phase One Environmental Impact Study. The study concludes that the borings do not indicate the presence of any trash, garbage or any other material of environmental concern. To address the issues regarding the overhead power lines, the applicant has provided Planning Staff with information from various sources including the Tennessee Valley Authority. Information provided concluded that there is no real

SHELBY PARK  
GOLF COURSE





## Metro Planning Commission Meeting of 7/24/2008

evidence to confirm the existence of any health consequences from exposure to low level electromagnetic fields. **The applicant's report has been included with the staff report packet provided to the Commissioners.**

### Variance Approval

The original report to the Planning Commission included a condition that required approval from the Board of Zoning appeals for the rear yard setbacks, and that the approval was required prior to submittal of the development plan. Since the deferral, the Board of Zoning Appeals has approved a variance for the rear yard setback. The variance was approved with conditions on June 19, 2008 (2008-034).

### Site Plan

This request is to subdivide two properties located on the west side of Riverside Drive into 18 single-family residential lots with a density of approximately 2.8 units per acre. Lots range in size from 11,170 square feet to 31,449 square feet. No new roads are proposed. Lots will be accessed from individual drives off Riverside Drive.

The properties are currently vacant and do not contain any steep slopes or other environmentally sensitive lands that would limit development. While there are no natural constraints on the property, a high voltage power line runs parallel to Riverside Drive bisecting the property. The lines have a 100 foot easement in which no buildings may be placed and consequently limits where buildings can be placed on the proposed lots.

A railroad line is located on the western boundary of the property, running the entire length of the rear property line. The rail line contains two tracks and is a highly active line. The Subdivision Regulations require a buffer strip at least 25 feet in depth adjacent to railroad right-of-ways (Section 3-4.2.e.1).

With the TVA easement, 25 foot railroad buffer, and 20 foot rear setback requirement, building envelopes depths are reduced to approximately



## Metro Planning Commission Meeting of 7/24/2008

30 feet. A 30 foot building envelope depth is not sufficient as it will not allow for a variety of building types and will result in a building pattern that is not compatible with the surrounding area. Since the applicants have received a variance from the Board of Zoning Appeals for the rear yard setbacks, building envelopes can be larger and be more in keeping with the surrounding area.

### Staff Analysis

The proposed plat meets all of the requirements found in the Metro Subdivision Regulations and the Metro Zoning Code. As requested by the Planning Commission, the applicant has provided a Phase One Environmental Impact Study, and information regarding the effects of overhead power lines. The impact study concluded that no materials of environmental concern were found on the site. Information regarding overhead power lines concluded that there is no real evidence to confirm the existence of any health consequences from exposure to low level electromagnetic fields.

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### **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.

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### **STORMWATER RECOMMENDATION**

No Exceptions Taken

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### **WATER SERVICES RECOMMENDATION**

Will require an off-site sewer line extension.

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### **STAFF RECOMMENDATION**

Staff recommends approval with conditions. The proposal meets all current regulations and zoning. Furthermore, the applicant has provided all information requested by the Planning Commission at its February 28, 2008, meeting.

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### **CONDITION**

This request will require the extension of an off-site sewer line. Plans for the extension of this sewer line shall be submitted to Metro Water Services and must be approved at the Development Plan application stage.

**SEE NEXT PAGE**





**2008S-090U-05**  
 J. J. Pryor's Subdivision  
 Map: 083-02 Parcel: 246  
 Subarea 5  
 Council District 6 – Mike Jameson



<b>Project No.</b>	<b>Subdivision 2008S-090U-05</b>
<b>Project Name</b>	<b>J. J. Pryor Subdivision</b>
<b>Council District</b>	6 - Jameson
<b>School District</b>	5 - Porter
<b>Requested by</b>	Alain Christopher Keenan, owner, Duclos Survey & Design Inc., surveyor
<b>Deferral</b>	<i>Deferred from the June 26, 2008, Planning Commission at the request of applicant.</i>
<b>Staff Reviewer</b>	Jones
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**APPLICANT REQUEST**  
**Final Plat**

**A request for final plat approval to create 3 single-family lots on property located at 1703 Greenwood Avenue, at the northeast corner of Greenwood Avenue and Chapel Avenue (1.49 acres), zoned One and Two-Family Residential (R6).**

**ZONING**  
R6 District

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.71 dwelling units per acre including 25% duplex lots.

Neighborhood Conservation  
Overlay District (NC)

Neighborhood Conservation (NC) districts are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that

CHAPEL AVE. (40' R.O.W.)

PARCEL ID#08302024700  
NANCY & SAMUEL A  
STRATTON  
DB-00010125 0000223, R.O.D.C

PARCEL ID#08302024800  
BUFORD N TAYLOR  
QC-20010116 0004522, R.O.D.C

PARCEL ID#QC-20010116 0004522  
JESSICA L BRODERICK  
DB-20060110 0003614, R.O.D.C

PARCEL ID#08302025000  
MITCHELL, DAVID G.  
DB-20050909 0106660, R.O.D.C

PARCEL ID#08302025100  
BRIDGET PILKINTON  
DB-20071130 0139227, R.O.D.C

PARCEL ID#08302025200  
FRANK L MURD ETUX ELIZABETH E.  
DB-00001778 0000182, R.O.D.C

S82°48'06"E 293.31' (MEAS.)  
S82°48'06"E 293.31'

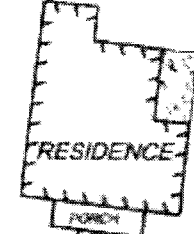
20' P.U.D.E.

2  
11965.9 SQ. FT. ±  
0.27 ACRES ±  
(332)

3  
10159.2 SQ. FT. ±  
0.23 ACRES ±  
(353)

1  
40487 sq. ft. ±  
0.93 Acre ±  
(246)

20' P.U.D.E.



RESIDENCE

274.82  
S07°1103'W 274.92' (MEAS.)  
S07°1122'W 274.80' (PLAT)

N16°39'56"W 305.69' (MEAS.)  
N16°39'56"W 306.82' (PLAT)

N71°20'04"E  
159.42'

N71°20'04"E  
124.75'

29.57'  
78.46'  
S07°11'54"W 109.03'

96.37'

191.38'

15.95'

154.47'

N82°51'17"W 160.03' (MEAS.)  
N82°52'18"W 160.00' (PLAT)

GREENWOOD AVE. (40' R.O.W.)

5' R.O.W. DEDICATION  
(25' FROM CENTERLINE)



## Metro Planning Commission Meeting of 7/24/2008

possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

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### PLAN DETAILS

The final plat subdivides one parcel to create three single-family lots. Each lot complies with the minimum lot size requirements for R6 zoning. An existing single-family dwelling is located on Lot 1 and is planned to remain.

This request for final plat approval was deferred from the June 26, 2008 Planning Commission meeting in response to neighbors concerns about the configuration of Lot 2 and Lot 3 and its relationship to the historic house. The applicant has since revised the plan to address these issues by creating a lot pattern for Lot 2 and Lot 3 that is consistent with the surrounding lots. The lots are now positioned at an angle to Chapel Avenue so as not to obstruct the view of the historic house and to reflect the pattern of the lot layout in the neighborhood.

### Historic Property

The East Nashville Community Plan identifies this site as a historic resource. The Colonel Pryor House is located on proposed lot 1 and is designated as Worthy of Conservation by the Metro Historic Zoning Commission.

### Lot Comparability

Section 3-5.1 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:



## Metro Planning Commission Meeting of 7/24/2008

Lot Comparability Analysis		
Street	Requirements	
	Minimum lot size (sq. ft.)	Minimum lot frontage (linear ft.)
<b>Greenwood Avenue</b>	12,087	52
<b>Chapel Avenue</b>	6,615	63

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

- Lot 1: 40,487 sq. ft. with 154.47 ft. of frontage
- Lot 2: 11,565.9 sq. ft. with 68.56 ft. of frontage
- Lot 3: 10,159.2 sq. ft. with 63 ft. of frontage

Each lot meets the minimum requirements for lot area and lot frontage.

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### **HISTORICAL COMMISSION RECOMMENDATION**

We are in agreement with this new plan - as long as future buildings for Lots 2 and 3 are able to follow proper setback requirements.

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### **PUBLIC WORKS RECOMMENDATION**

No Exception Taken

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### **STORMWATER RECOMMENDATION**

Approved

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### **FIRE MARSHAL RECOMMENDATION**

1. 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.
2. One and two family final plat plans must show results from fire hydrant(s) flow test, performed within 6 months with a minimum of 1000 gpm @ 20 psi available at hydrants, for buildings up to 3600sq. ft. to be approved



## Metro Planning Commission Meeting of 7/24/2008

for fire hydrant flow requirements.

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### STAFF RECOMMENDATION

Staff recommends approval with conditions of the final plan to create three lots.

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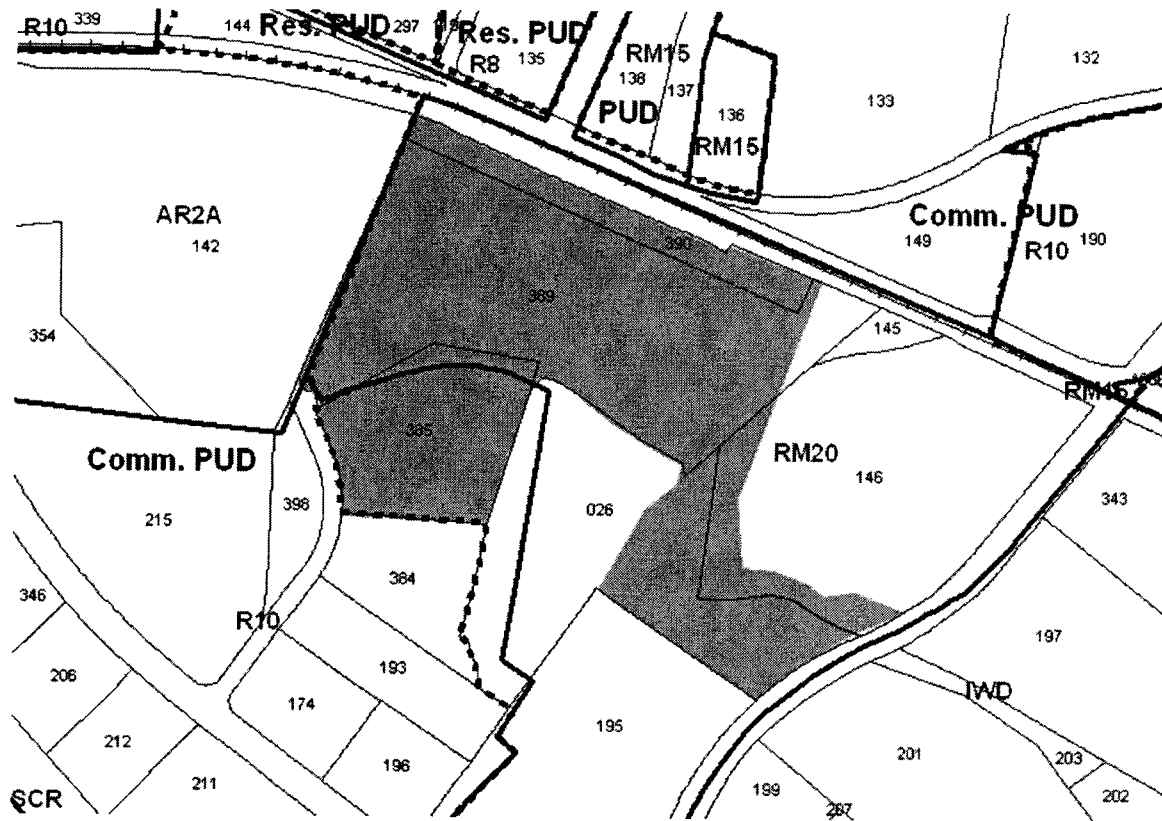
### CONDITIONS

1. Prior to recordation, a new Note No. 1 shall be added to the plat stating: "The purpose of this plat is to create three single-family lots."
2. Prior to recordation, a note shall be added to the plat stating: "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."
3. Prior to recordation, a note shall be added to the plat addressing the Fire Marshal requirement that one and two family final plat plans must show results from fire hydrant(s) flow test, performed within 6 months with a minimum of 1000 gpm @ 20 psi available at hydrants, for buildings up to 3600sq. ft. to be approved for fire hydrant flow requirements.
4. Fire hydrant flow data shall be provided on the plat prior to recordation.

**SEE NEXT PAGE**

**PREVIOUSLY DEFERRED ITEMS  
AND ITEMS ON PUBLIC HEARING**





**2008Z-050U-13**

Map: 163-00

Parcels: 385, 390, part of 389, part of 26, part of 146

Subarea 13

Council District 32 – Sam Coleman



<b>Project No.</b>	<b>Zone Change 2008Z-050U-13</b>
<b>Council District</b>	32 - Coleman
<b>School District</b>	6 - Johnson
<b>Requested by</b>	Littlejohn Engineering Associates, applicant, for Crews Crossing LLC, owner
<b>Deferral</b>	<i>Deferred from the June 26, 2008, Planning Commission meeting at the request of the applicant.</i>
<b>Staff Reviewer</b>	Logan
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

**A request to rezone from One and Two-Family Residential (R10) and Multi-Family Residential (RM20) to Multi-Family Residential (RM9), property located at Old Franklin Road (unnumbered) and 5540 Crossings Circle, approximately 680 feet north of Crossings Boulevard (34.8 acres).**

**Existing Zoning**

R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots. The R10 zoning district would permit 15 single-family lots and 5 duplex lots, for a total of 25 units on this site using the cluster lot option.

RM20 District

RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The RM20 zoning district would permit 588 units.

**Proposed Zoning**

RM9 District

RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre. The proposed zone change would permit a total of 313 units.

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**ANTIOCH/PRIEST LAKE  
COMMUNITY PLAN POLICY**

Regional Activity Center (RAC)

RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in



## Metro Planning Commission Meeting of 7/24/2008

these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

### Consistent with Policy?

On March 13, 2008, the Planning Commission approved the cancellation of a portion of the Crossings PUD on a portion this property, along with an amendment to the overall PUD plan. That request eliminated the street frontage on Crossings Boulevard due to a stream crossing. The applicant has indicated that the intent is to combine the property included in this rezoning request to allow for frontage along Old Franklin Road. A large portion of the property within this request is being downzoned from RM20, which permits 20 units per acre, to RM9, which permits 9 units per acre. Under the current zoning, the property could be developed with 613 units. Under the proposed zoning, the property could be developed with 313 units.

### PUBLIC WORKS RECOMMENDATION

A TIS may be required at development.

#### Typical and Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single family detached (210)	5.38	4.63	25	240	19	26

#### Typical and Maximum Uses in Proposed Zoning District: RM9

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	5.38	9	48	344	29	33

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+23	104	10	7

#### Typical and Maximum Uses in Existing Zoning District: RM20

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	29.42	20	588	2894	214	257



# Metro Planning Commission Meeting of 7/24/2008

## Typical and Maximum Uses in Proposed Zoning District: RM9

Land Use (ITE Code)	Acres	Density	Total Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	29.42	9	265	1470	113	134

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

Land Use (ITE Code)	Acres	—		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			-323	-1424	-101	-123

### METRO SCHOOL BOARD REPORT

#### Projected student generation

28 Elementary    16 Middle    16 High

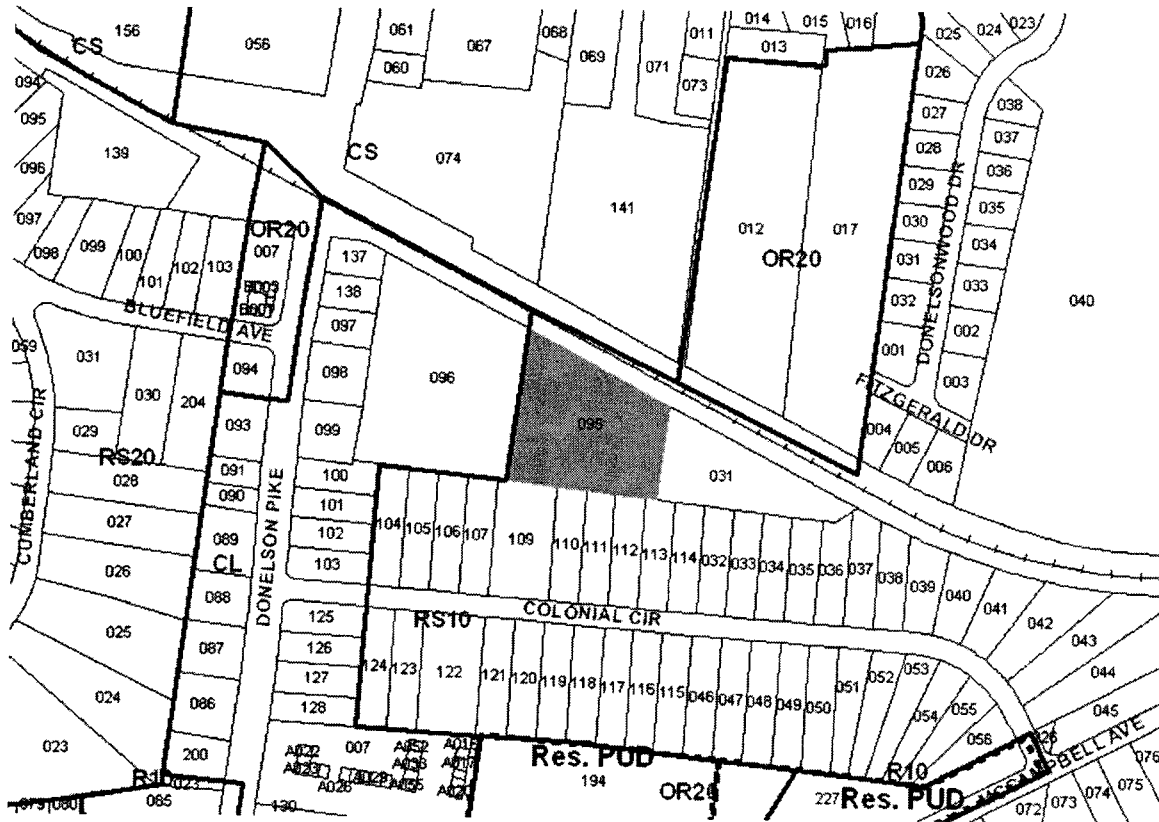
#### Schools Over/Under Capacity

Students would attend AZ Kelly Elementary School, Marshall Middle School, or Cane Ridge High School. AZ Kelly Elementary School has been identified as being over capacity by the Metro School Board. There is no capacity within the cluster for elementary school students. The fiscal liability for the elementary school students is \$560,000. This information is based upon data from the school board last updated June 2008.

The information above was calculated for the entire property, 34.8 acres, at a density of 9 units per acre. The existing zoning on 29.42 acres permits 20 units an acre. RM20 zoning on 29.42 acres would generate 53 elementary school students, 29 middle school students and 29 high school students. Therefore, this rezoning request represents a decrease in the impact on Metro Schools.

#### STAFF RECOMMENDATION

Staff recommends approval.



2008Z-058U-14

Map: 096-05 Parcel: 095

Subarea 14

Council District 14 – Bruce Stanley



# Metro Planning Commission Meeting of 7/24/2008

**Item #4**

<b>Project No.</b>	<b>Zone Change 2008Z-058U-14</b>
<b>Council Bill</b>	BL2008-238
<b>Council District</b>	14 - Stanley
<b>School District</b>	4 - Glover
<b>Requested by</b>	Charlie Simms, applicant, for Rondol and Mary Oakley, owners
<b>Deferral</b>	<i>Deferred from the June 26, 2008, Planning Commission meeting at the request of the applicant.</i>
<b>Staff Reviewer</b>	Jones
<b>Staff Recommendation</b>	<i>Approve</i>

## APPLICANT REQUEST

**A request to rezone from Single-Family Residential (RS10) to One and Two-Family Residential (R10) district property located at 119 Lebanon Pike, approximately 615 feet east of Donelson Pike (2.29 acres.**

### Existing Zoning

RS10 District

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 zoning district would permit 8 single-family lots on this site using the cluster lot option.

### Proposed 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. The R10 zoning district on this site would permit 8 lots, two of which could be duplex lots, for a total of 10 units using the cluster lot option.

## DONELSON-HERMITAGE COMMUNITY PLAN

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

### Consistent with Policy?

The request to allow one and two-family residential uses is consistent with Residential Low Medium (RLM) policy. The uses permitted under the R10 zoning district are compatible with the surrounding uses in the



## Metro Planning Commission Meeting of 7/24/2008

area. The area is predominantly residential in character with some commercially zoned properties immediately north and west of this site. The property is also adjacent to a rail line and a planned greenway. The proximity of the rail line and greenway may impact development densities for this site since a greenway dedication would be required and a railroad buffer would be required if subdivided. Since the site is currently accessed from a driveway within the railroad right-of-way, subdivision of the property would be unlikely without direct access to a public road. With direct access to a public road, the R10 zoning would allow a total of 8 lots, two of which could be developed as duplex lots, for a total of 10 units on the entire site.

Currently, there is one single-family home on the property with no public street frontage. The site is accessible by an existing driveway located within the railroad right of way that extends to Donelson Pike. According to the applicant there is no easement that allows use of the right-of-way to access the property. If the property is subdivided into multiple lots, a road must be built to Public Works' street standards and additional right-of-way may be required to be platted. The future subdivision of this property would not likely be supported without public street frontage.

### **PUBLIC WORKS RECOMMENDATION**

Traffic study may be required at time of development.

#### **Typical Uses in Existing Zoning District: RS10**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	2.29	3.7	8	77	6	9

#### **Typical Uses in Proposed Zoning District: R10**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	2.29	3.7	8	77	6	9

#### **Change in Traffic Between Typical and Maximum Uses in Existing and Proposed Zoning District**

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



## Metro Planning Commission Meeting of 7/24/2008

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### METRO SCHOOL BOARD REPORT

#### Projected student generation

1 Elementary    1 Middle    1 High

#### Schools Over/Under Capacity

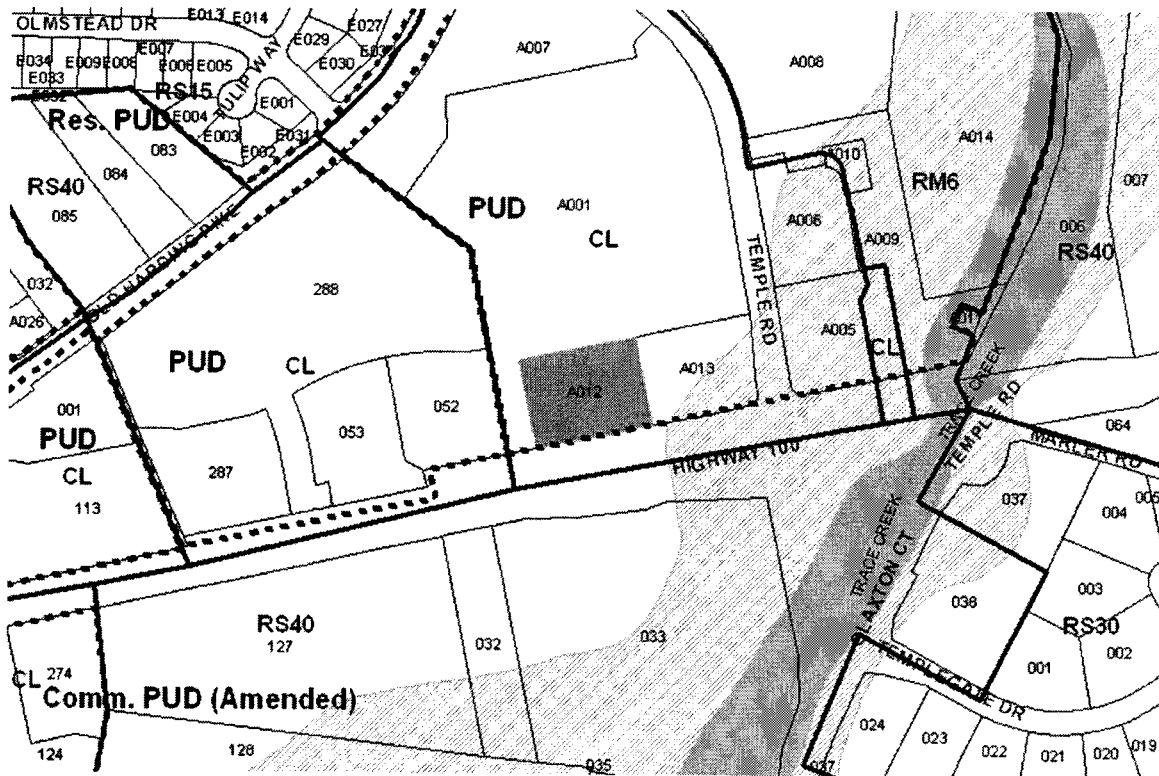
Students would attend Hickman Elementary School, Donelson Middle School, or McGavock High School. Donelson Middle School and McGavock High School have been identified as being over capacity by the Metro School Board. There is capacity within the cluster for middle school students and capacity within an adjacent cluster for high school students. This information is based upon data from the school board last updated June 2008.

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### STAFF RECOMMENDATION

Staff recommends approval of the request to rezone 2.29 acres from RS10 to R10. The One and Two-Family Residential (R10) zoning district would permit single-family dwellings and duplexes with minimum lot size requirements of 10,000 square feet. The permitted uses under R10 zoning are consistent with the intent of the Residential Low Medium land use policy, which encourages single-family and two-family dwellings.





**2005P-008G-06**  
 Harpeth Village (Publix Fueling Station)  
 Map: 156-09-A      Parcel: 012  
 Subarea      6  
 Council District      35 – Bo Mitchell



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

**Planned Unit Development 2005P-008G-06**  
**Harpeth Village**

35 - Mitchell  
9 - Warden

Core Sates Engineering, applicant for Kimco Barclay Harpeth Partners L.P., owner

**Deferral**

*Deferred from the June 26, 2008, Planning Commission meeting at the request of the applicant.*

**Staff Reviewer**  
**Staff Recommendation**

Swaggart

*Defer or disapprove until Stormwater issues have been addressed. If Stormwater issues are addressed prior to the Planning Commission meeting then staff recommends approval with conditions and recommends approval of a variance from the Scenic Landscape Easement requirement in the Metro Zoning Code.*

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**APPLICANT REQUEST**  
**Revise Preliminary and PUD Final Site Plan**

**A request to revise the preliminary plan and for final approval for a portion of the Harpeth Village Planned Unit Development located at 8002 Highway 100, approximately 300 feet west of Temple Road, (1.12 acres), to permit an automobile convenience center.**

**Zoning District**  
CL District

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

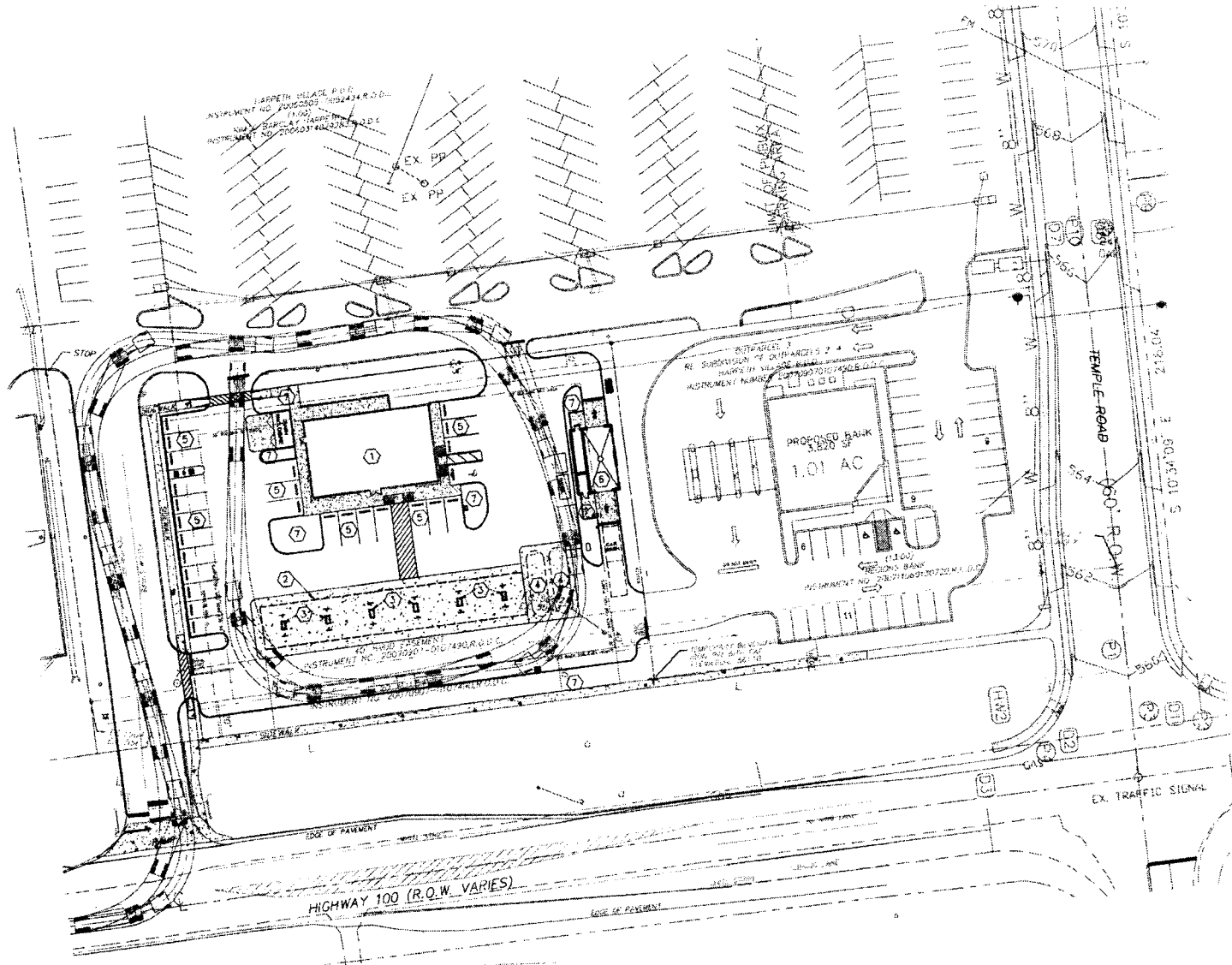
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**PLAN DETAILS**

This is a request to revise the last approved preliminary plan and for final site plan approval for an undeveloped out parcel (Out Parcel 2) in the Harpeth Village Planned Unit Development. The PUD is located along the north side of Highway 100 just east of the intersection of Old Harding Pike and Highway 100. Major components of the PUD have been constructed including the extension of Temple Road and a Publix grocery store.

Preliminary Plan

The original PUD plan was approved by Council in 2005 to permit 74 townhomes, 26,700 square feet of office (library), and 87,900 square feet of retail/restaurant/bank uses. Since the original approval the plan has been revised several times and the last revision for the subject out parcel was approved by the Planning Commission in August of 2007, and called for an 8,700 square foot building for retail or restaurant uses.





## Metro Planning Commission Meeting of 7/24/2008

### Site Plan

The proposed plan calls for a fuel center to include a 3,150 sq. ft. convenience market, automatic drive-thru car wash and covered fuel area with six fuel pumps. The convenience market is sited along the northern internal property line. The car wash is sited along the eastern property line, and the fuel pumps and canopy are sited closer to Highway 100, in front of the convenience market.

Access to the fuel center is shown at four separate locations. Three access points are from the development's internal drives and one is shown from the adjacent out parcel to the east.

### Scenic landscape easements

Section 17.24.070 of the Metro Zoning Zode states:

Property abutting a street designated a scenic arterial by the major street plan shall comply with the following requirements:

- A. The area of a lot located within ten feet of the right-of-way of a designated scenic arterial shall be designated as a "scenic landscape easement" and shall be planted with a Standard A landscape buffer yard. Existing vegetation may be used, in part or in whole to meet this requirement.
- B. No grading, cutting of trees or brush exceeding one inch in diameter, or disturbance of prominent natural features shall be performed within a scenic landscape easement except for minimal disturbance necessary to permit streets, driveways or utility corridors. Only those improvements allowed in a landscape buffer yard shall be permitted within the scenic arterial easement.

### Variance

Highway 100 is designated as a scenic arterial and requires a scenic landscape easement. The area along Highway 100 is encumbered with an easement for Harpeth Valley Utility District (HVUD) which overlaps with the scenic landscape easement. HVUD will not allow the plantings called for in the scenic landscape buffer within the utility easement. A variance from the scenic landscape easement requirement is needed and must be approved the Board of Zoning Appeals.



## Metro Planning Commission Meeting of 7/24/2008

Since the property is within a Planned Unit Development, the Planning Commission must make a recommendation to the Board of Zoning Appeals for any variances from the Zoning Code. To resolve the conflict staff has worked with the applicant to produce a landscape plan that includes plants permitted by HVUD and positions the plants in a manner which screens the building from the public right-of-way, and meets the intent of the scenic landscape easement. Staff is recommending that the Planning Commission recommend approval for the scenic landscape easement variance.

### Analysis

While the out parcel was not specifically approved for a fuel center the use is allowed under the current CL base zoning district and the use is not listed as a prohibited use on the originally approved plan. With the applicants able to address the scenic landscape buffer issue to adequately screen the building, the impact of the fuel station along Highway 100 should be minimized.

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### **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.

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### **STORMWATER RECOMMENDATION**

Defer or disapprove

1. Provide Detention Agreement, Long Term Plan, Dedication of Easement, recording fees, and the Grading Permit fee (\$805).
2. Provide copy of the existing NOC.
3. Add datum for Benchmark.
4. Add matting to the 3:1 slopes. Specify type to be used and provide a detail.
5. For the erosion control measures, add outlet protection to headwalls. Be sure to include detail. Also, reference our BMP's for the erosion control measures (TCP-13 for silt fence, etc.).
6. Add note on erosion control sheet stating:  
"Contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP – 10 and CP – 13, respectively.  
Contractor to coordinate exact location with



## Metro Planning Commission Meeting of 7/24/2008

NPDES department during preconstruction meeting.”

7. For the storm filter calculations, 22.5 gpm was used for sizing. This is higher than allowable. Also, provide full Contech calculations (including a certification letter).
8. Inlet 3 shows to outlet pipes located at the same inverts. Explain what enters the water quality unit and what is bypassed.
9. Clearly show the buffers on the plans. Also, buffer disturbances were observed. Remove buffer disturbances or provide an approved appeal.

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### STAFF RECOMMENDATION

Staff recommends that the request be deferred or disapproved until Stormwater issues have been addressed. If Stormwater issues are addressed prior to the Planning Commission meeting then staff recommends approval with conditions and recommends approval of a variance from the Scenic Landscape Easement requirement in the Metro Zoning Code.

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### CONDITIONS

1. All signs must be consistent with the PUD sign requirements. Sign details including location and design must be included in the plan prior to permit sign off.
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 Stormwater Management division of Water Services.
3. 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.
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.

**SEE NEXT PAGE**

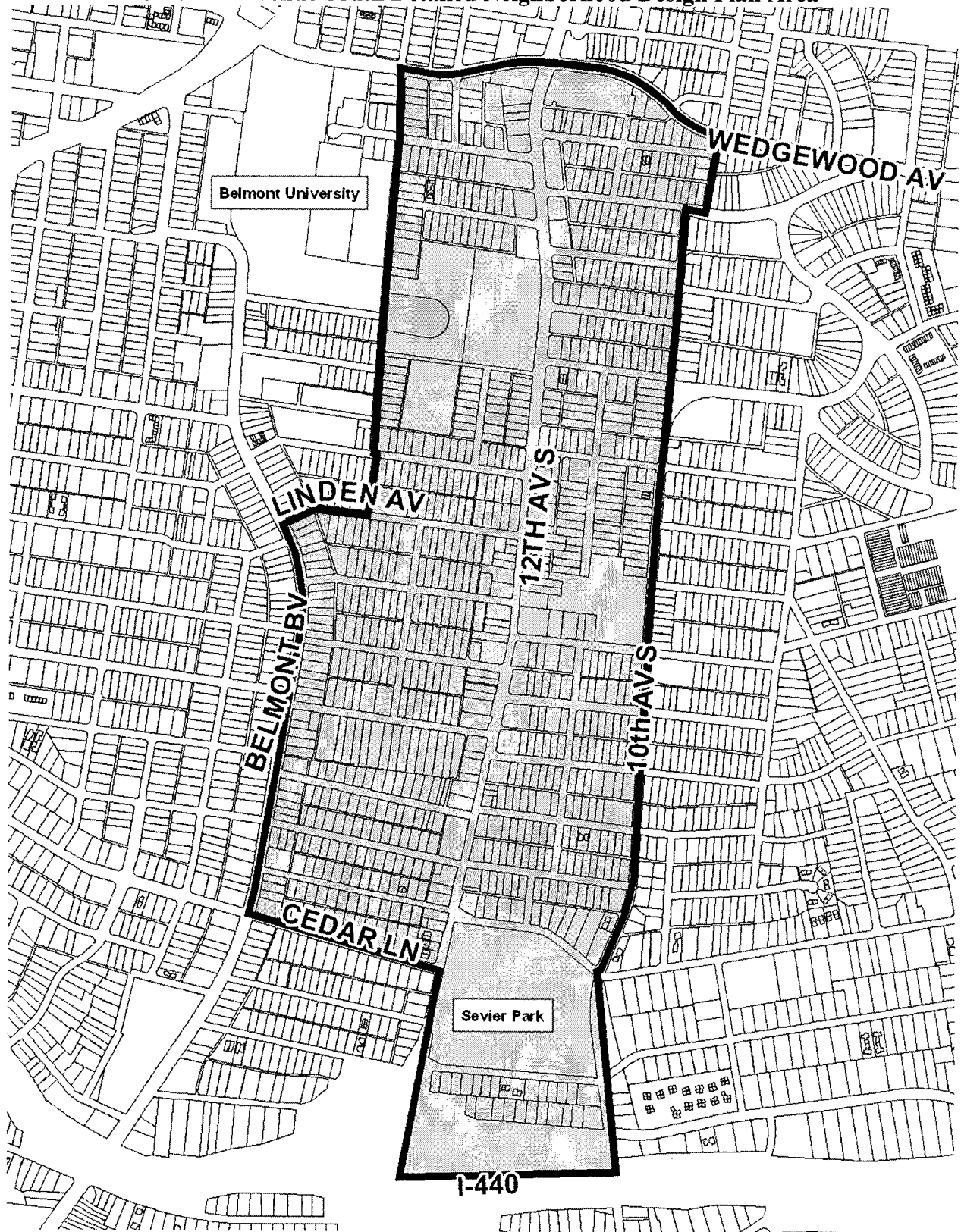
# **COMMUNITY PLAN**





# Metro Planning Commission Meeting of 7/24/08

## 2007CP-022U-10 12<sup>th</sup> Avenue South Detailed Neighborhood Design Plan Area





**Project No.  
Request**

**2007CP-22U-10**  
**Adopt the 12th Avenue South Detailed  
Neighborhood Design Plan an amendment to  
the Green Hills/Midtown Community Plan: 2003  
Update**

**Council District  
School Districts  
Requested by**

17 – Moore and 18 – Durbin  
7 – Kindall and 8 – Fox  
Planning Staff

**Staff Reviewer  
Staff Recommendation**

T. Adams/Wood  
*Approve*

---

**APPLICANT REQUEST**

**A request to adopt the 12th Avenue South Detailed  
Neighborhood Design Plan, as an amendment to the *Green  
Hills/Midtown Community Plan: 2005 Update*, to provide  
more detailed guidance on planning for growth and  
preservation along the 12<sup>th</sup> Avenue South Corridor and  
adjoining neighborhoods.**

---

**COMMUNITY PARTICIPATION**

Planning staff conducted six meetings in the 12<sup>th</sup> Avenue South neighborhood from August 2007 through June 2008 regarding the Detailed Neighborhood Design Plan (DNDP). Staff also attended five neighborhood association meetings at the request of area neighborhood associations and the council members to explain, answer questions about, and take comments on the draft DNDP.

Notification of community meetings as well as the July 24, 2008, public hearing were published in newspapers and posted on the Planning Department's website. Flyers announcing the community meetings were sent to property owners throughout the community. Additionally, email or regular mail was periodically sent to an expanding list of participants. An estimated 150-plus individuals participated in the process.

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**MAJOR ISSUES**

During the 12<sup>th</sup> Avenue South DNDP process, the community stakeholders had the opportunity to share thoughts during the visioning, concept plan, and detailed land use policy workshops, and during educational meetings and neighborhood association meetings.

Issues that came up during the planning process that are especially noteworthy include building heights, parking, architectural standards, and the recommendation for a specific area on the west side of 12<sup>th</sup> Avenue South between Ashwood and South Douglas Avenues.



## Metro Planning Commission Meeting of 7/24/2008

### *Building Heights*

There was strong community interest in limiting building heights along 12th Avenue South. Three stories at 45 feet is the maximum height recommended in the Plan for the Avenue's mixed use areas, which is a conditional maximum height that depends on the street setback and the provision of adequate parking (see pages 69-70). This recommended maximum height *may*, in some cases, be less than what is allowed by the current CS zoning that is in place today. Technically, CS zoning allows additional height, but it appears that in many cases, it would be difficult to provide parking for the additional square footage allowed in CS, especially given the relatively small lots along 12<sup>th</sup> Ave. S.

### *Parking*

The community was very concerned about "spill over" business parking on neighborhood streets, particularly parking that is associated with late hours of operation. The DNDP contains guidelines that tie the maximum building heights to the ability to provide on-site and/or shared parking (relevant objectives are found in Subdistricts 3, 4, 5, 6, 7, 8, and 9, which are the Mixed Housing and Mixed Use subdistricts).

### *Architectural Standards*

There was some interest on the part of community members to add architectural standards to the DNDP. A DNDP does not contain architectural standards, but rather guides building form (height, massing, setbacks, spacing, access) and general use. Architectural standards that are consistent with the community vision could be developed as part of any future rezonings in the area.

### *Mixed Housing Policy on West Side of 12<sup>th</sup> Ave. S. between Ashwood and South Douglas Avenues*

Some community members were concerned about the mixed housing policy on the west side of 12th Avenue South between Ashwood and South Douglas Avenues. There was concern that the density of up to 15 units per acre that is recommended in the DNDP (see page 61) would encourage the replacement of the bungalow homes currently located there. Community interest in housing choice, improved transit, and a broader range of commercial services with improved design, coupled with the fact that these houses had not been identified as "historic" by Metro Historical Commission, led staff to recommend mixed housing there. This is consistent with the treatment of the remainder of 12<sup>th</sup> Avenue South between the mixed use areas.



## Metro Planning Commission Meeting of 7/24/2008

### PLAN HIGHLIGHTS

The highlights of the 12<sup>th</sup> Avenue South DNDP are:

#### **Vision Statement:**

*The 12th Avenue South Corridor Neighborhood is a livable community that values its socioeconomic diversity, its history, and cultural heritage. As it grows and develops in the future, the 12<sup>th</sup> Avenue South Corridor will remain a livable and sustainable community by providing a well-balanced mix of housing, including affordable housing, neighborhood-scaled businesses, real transportation options, active, easily accessible open space, employment and social services, and civic and cultural opportunity.*

The Vision Statement is further defined through the DNDP's Goals and Objectives for Land Use and for Systems such as pedestrian and bicycle circulation; vehicular circulation; transit, access and parking; landscaping and buffering; and signage, lighting, and gateways.

The intent of the Vision Statement is also carried forward through the Detailed Land Use Plan, which outlines the specific *land uses* envisioned, and Building Regulating Plan, which describes the *form and character* of development. These two plans provide the primary guidance for decisions about future development within the study area. These two Chapters of the Plan cover four elements of the neighborhood: Open Space, Neighborhoods, Centers, and Corridors.

Below are overviews of the recommendations for each element of the neighborhood:

#### **Open Space (Building Regulating Plan Subdistrict 11):**

- Maintaining and enhancing the neighborhood's existing open space resources, which include Sevier Park, the former Waverly-Belmont School (now used by Metro Schools' Information Technology Department), and the TDOT-owned I-440 right-of-way that is partly used for a community garden. Recommended enhancements include increased public use of the Metro Schools property and providing an open space connection between that property and 12<sup>th</sup> Avenue South.



## Metro Planning Commission Meeting of 7/24/2008

### **Neighborhoods (Building Regulating Plan Subdistricts 1, 2, 3, 5, and 6):**

- Maintaining the predominant developed character of the majority of the neighborhood's single- and two-family zoned residential areas to the east and west of 12<sup>th</sup> Avenue South;
- Encouraging the appropriate redevelopment of Kirkwood Avenue between Belmont Boulevard and 12<sup>th</sup> Avenue South in order to facilitate infrastructure improvements and increase housing choice; and
- Encouraging the appropriate character in redevelopment of the Acklen-Caldwell area. This area is zoned multi-family. Guidelines are provided to facilitate improved urban design within the existing development entitlements while providing housing choice.

### **Centers (Building Regulating Plan Subdistrict 8):**

- Maintaining the current 1-story scale and retail land use of the small center at Belmont Boulevard and Dallas Avenue; and
- Allowing for limited mixed-use or residential expansion of the small center at 10<sup>th</sup> Avenue South and Waldkirch Avenue, next to the Metro Schools facility.

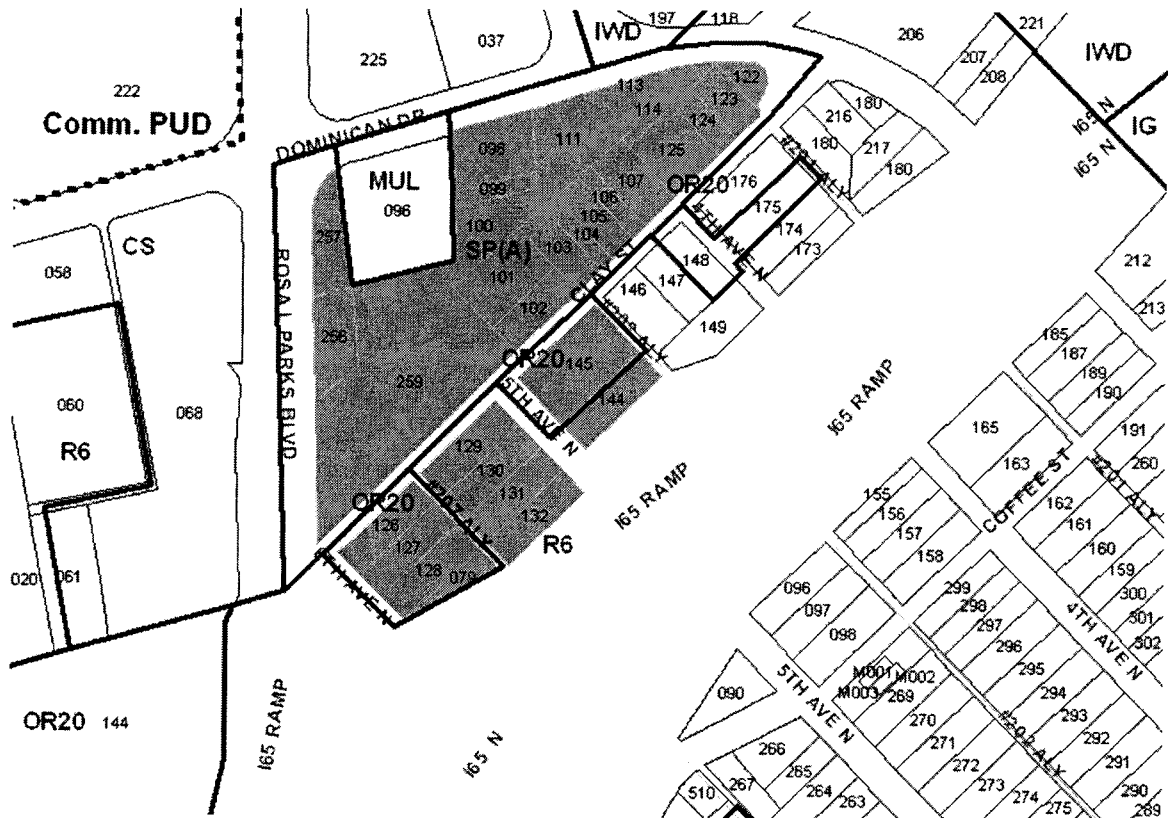
### **Corridors (Building Regulating Plan Subdistricts 4, 7, and 9):**

- Allowing for vertical mixed use development within the existing commercial and mixed use-zoned portions of 12<sup>th</sup> Avenue South that is appropriately scaled to its surroundings while providing reasonable development opportunities that are responsive to market considerations;
- Striking a balance between building heights and street setbacks that provides a pedestrian-friendly environment with buildings that frame 12<sup>th</sup> Avenue South without overwhelming it;
- Providing adequate on-site and shared parking;
- Providing opportunities for meeting neighborhood retail and service needs in close proximity to residents;
- Providing increased housing choice in an appropriate setting along 12<sup>th</sup> Avenue South, which helps to maintain the existing single- and two-family character of the adjacent neighborhoods, supports transit on 12<sup>th</sup> Avenue South, and helps to support neighborhood businesses.

### **STAFF RECOMMENDATION**

Staff recommends approval of the 12<sup>th</sup> Avenue South Detailed Neighborhood Design Plan as proposed.

# **SPECIFIC PLANS**



**2006SP-108U-08**

Metro Center Auto Facility

Map: 081-04

Parcels: 098, 099, 100, 101, 102, 103, 104, 105, 106, 107, 111, 113, 114, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 144, 145, 256, 257, 259

Map: 081-08 Parcels 079

Subarea 8

Council District 2 – Frank Harrison



**Project No.**  
**Project Name**  
**Associated Cases**  
**Council District**  
**School District**  
**Requested By**

**2006SP-108U-08**  
**Metro Center Auto Facility**  
None  
2 – Harrison  
1 – Thompson  
Barge Cauthen and Associates, applicant for Metrocenter Properties Inc., CB & J Properties LLC, South Central Bell Telephone Co., Felix Wade et ux, and Strickland Enterprise, owners

**Staff Reviewer**  
**Staff Recommendation**

Swaggart  
*Approve with conditions*

**APPLICANT REQUEST**

A request change approximately 6.94 acres from SP-A, OR20, and R6 to SP-A for property bonded by Rosa Parks Boulevard on the west, Interstate – 65 on the south and Dominican Street on the south and east and located at 2004, 2006, and 2011 4th Avenue North, 1919, 1920, 1921, 1922, 1925, 1927, 2000 and 2006 5th Avenue North and 5th Avenue North (unnumbered), 1918, 1920, 1922, and 1924 6th Avenue North, 306, 308, 310, 312, 400, 402, 404, 408, and 410 Clay Street, and Rosa L. Parks Boulevard (unnumbered), to permit an auto dealership with a 65,000 square foot building and a 760 square foot telephone utility/communication facility, requested by Barge Cauthen & Associates, applicant, for S.A. North Ltd., Ironwood Partners Ltd., and Metrocenter Improvements Association Inc. and South Central Bell Telephone Company, owners.

**Existing Zoning**  
SP – A District

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

OR20 District

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

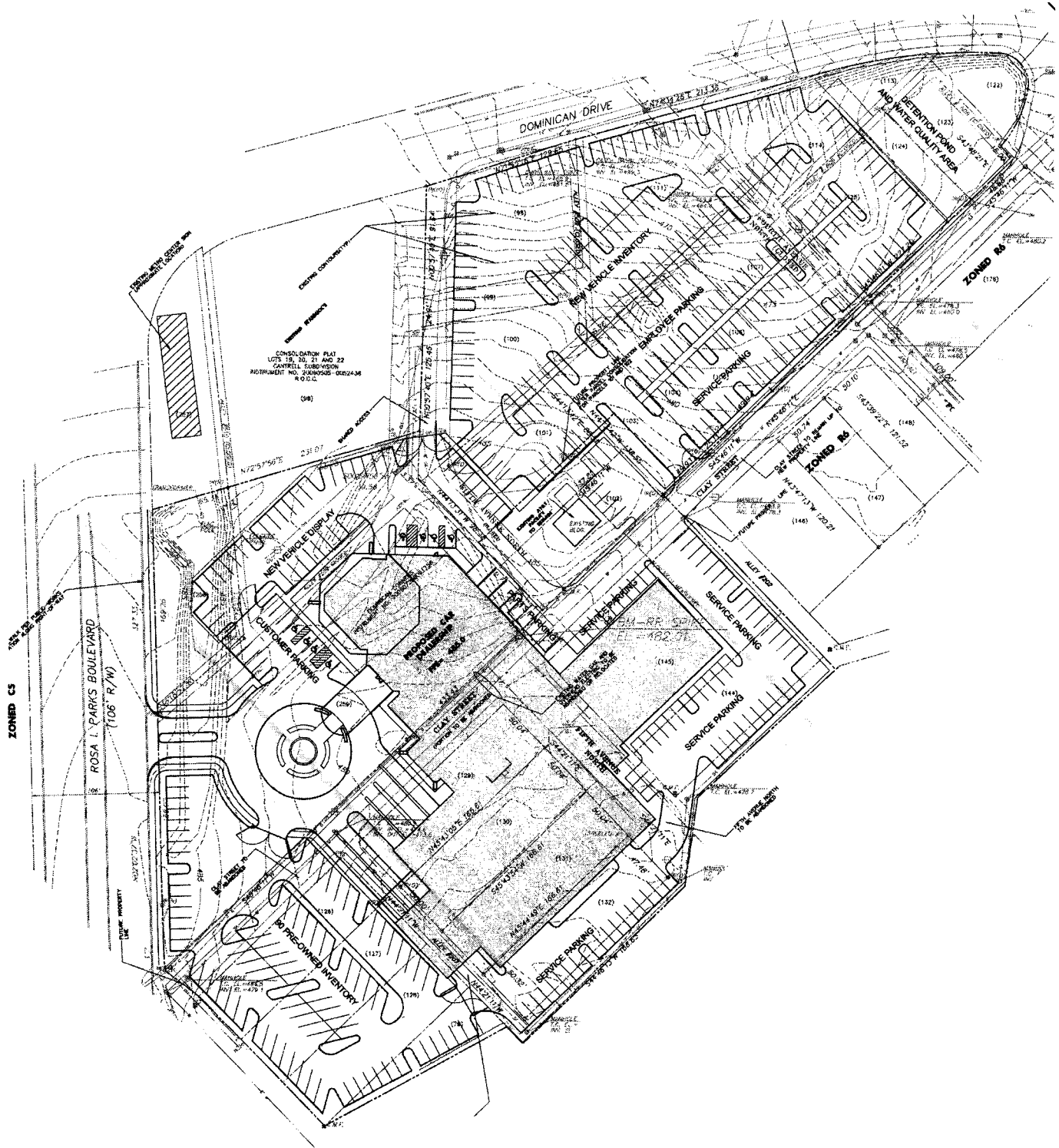
R6 District

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

**Proposed Zoning**  
SP-A District

Specific Plan-Auto is a zoning District category that provides for additional flexibility of design, including the







## Metro Planning Commission Meeting of 7/24/2008

relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes automobile uses.

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### NORTH NASHVILLE COMMUNITY PLAN

#### Existing Policies

##### *Structure Policy*

Corridor Center (CC)

CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

Neighborhood Urban (NU)

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

#### *Detailed Policy*

Commercial

Commercial is intended for commercial uses only, with no residential uses. It is intended for mixed commercial buildings with shops at street level and office uses on the upper levels.

#### *Special Policy*

Special Policy Area 1

*This Special Policy applies to the Commercial policy area between Metro Center Boulevard, Dominican Drive, and Interstate 65. In order to preserve and enhance this area's role as a gateway both for the Metro Center and Downtown areas, the following objectives apply to development within it:*



## Metro Planning Commission Meeting of 7/24/2008

- a) *Maintain or enhance the existing landscaping and signage that identify the area as a gateway to Metro Center;*
- b) *Begin to establish features that identify the area as a gateway to Downtown Nashville;*
- c) *Protect existing mature trees to the maximum extent possible, particularly around the periphery of the site adjacent to the bounding streets, and treat them as integral to site design;*
- d) *Utilize techniques such as solid walls and landscaping to define the perimeter of the site and create a street wall.*
- e) *Construct buildings of high-quality, durable materials; Construct signage that is appropriately scaled for an environment that welcomes pedestrian, vehicular, and bicycle traffic.*

### Consistent with Policy?

Yes. The proposed Specific Plan with staff conditions is consistent with the area's policies.

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### PLAN DETAILS

A SP for an auto dealership was approved for 27 properties totaling 4.96 acres north of Clay Street in 2006. That plan permitted a new automobile sales and service complex with two buildings totaling 32,225 square feet and recognized an existing 760 square foot telephone utility/communication facility and the landscaped Metro Center sign along Rosa Parks Boulevard.

Construction of the auto dealership has not begun and the applicants are now asking that ten properties be added to the SP district and that the plan be modified to intensify the permitted use. The plan will also require that portions of Clay Street, 5<sup>th</sup> and 6<sup>th</sup> Avenue, North, and Alley #207 be abandoned. The ten lots proposed to be added to the SP district are located on the south side of Clay Street along 5<sup>th</sup> and 6<sup>th</sup> Avenue, North and currently consist of single-family homes, a boarding house and vacant residential and commercial land.

### Site Plan

The site plan calls for a two-story building totaling 65,000 square feet, and identifies an existing 760 square foot building and the landscaped Metro Center sign along Rosa Parks Boulevard. Permitted uses under the proposed SP are automobile sales new and used, automobile services and repair, office, and telephone services.



## Metro Planning Commission Meeting of 7/24/2008

Access into the site is shown from three locations. One access is along Rosa Parks Boulevard and is a right-in, right-out only, and a second access is onto Dominican Drive through a shared access easement with the adjacent Starbucks. The third is at the western terminus of Clay Street. A total of 411 surface parking spaces are identified including 77 spaces designated for pre-owned inventory and sales and 134 spaces designated for new inventory and sales.

### Analysis

The proposed development is consistent with the previously approved SP-A district in terms of permitted uses. The two buildings which were approved in the previous SP-A are to be replaced with one larger building and additional surface parking which will intensify the use in the district.

Some details such as building materials and specific landscape designs are not in the plan. To ensure that the plan meets the intent of the special policy the final site plan will need to provide additional information. Specifically the final site plan must provide a detailed landscaping plan along Rosa Parks Boulevard which is a key gateway into downtown. The final site plan shall also identify building materials including sign details consistent with the area's special policy.

---

### **PUBLIC WORKS RECOMMENDATION**

1. A Traffic Impact Study (TIS) is required. Schedule a project scoping meeting with the Department of Public Works.
2. Submit letter of approval from TDOT to construct driveway onto Rosa Parks Boulevard.
3. Mandatory Referral application will be required to abandon a portion of Clay Street and 5th Ave N, 6th Ave N, Alley #207.
4. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.



# Metro Planning Commission Meeting of 7/24/2008

## Maximum Uses in Existing Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Automobile Sales and Service (841)	8.98	n/a	32,225	1075	67	87

## Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Automobile Sales and Service (841)	8.98	n/a	65,000	2168	134	172

## 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
--			+32,775	+1093	+67	+85

### STORMWATER RECOMMENDATION

Approved

### STAFF RECOMMENDATION

Staff recommends that the request be approved with conditions. The proposed plan with staff conditions is consistent with the previously approved SP-A zoning district and the area's land use policies.

### CONDITIONS

1. Uses permitted within this SP-A district include automobile sales new and used, automobile services and repair, office, and telephone services as specified in the Metro Nashville Zoning Code. All other uses are prohibited.
2. The final site plan shall identify all signs. Free standing signs shall be limited to one on Rosa Parks Boulevard and one on Dominican Street. Free standing signs shall not exceed 4 feet in height and shall not exceed a total of 72 square feet. All other signs shall meet the sign requirements as specified in the Metro Zoning Code for the CS zoning district.
3. Prior to approval of the final site plan the landscaping plan shall be approved by Planning Staff and shall meet the intent of the area's special policy. A brick or stone knee wall shall be incorporated into the landscaping plan along Rosa Parks and shall be placed along the back side of the sidewalk.



## Metro Planning Commission Meeting of 7/24/2008

4. A Traffic Impact Study (TIS) is required and must be submitted and approved by Metro Public Works prior to approval of any final site plan. If the TIS demonstrates that the access points shown on the development plan are not sufficient then the final site plan may vary from the Council approved development plan as long as it does not alter the overall concept of the development plan.
5. Prior to approval of any final site plan a letter of approval from TDOT to construct driveway onto Rosa Parks Boulevard must be submitted to the Department of Public Works.
6. Prior to approval of any final site plan a Mandatory Referral application for the abandonment for a portion of Clay Street and 5th Ave N, 6th Ave N, and Alley #207 must be submitted to the Department of Public Works and must be approved by Metro Council.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CS zoning district as of the date of the applicable request or application.
8. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
9. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its



## Metro Planning Commission Meeting of 7/24/2008

designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

10. 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.

**SEE NEXT PAGE**





**2008SP-014U-13**  
 Map: 136-00 Parcel: 044  
 Subarea 13  
 Council District 29 - Vivian Wilhoite



**Project No.** Zone Change 2008SP-014U-13  
**Project Name** Sambukka's Barber and Styling Studio  
**Council District** 29 - Wilhoite  
**School Board District** 6 - Johnson  
**Requested By** J2 Designs, applicant, for Amanullah Kwaga, owner  
**Staff Reviewer** Swaggart  
**Staff Recommendation** Approve with conditions

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**APPLICANT REQUEST**  
Preliminary SP

A request to change approximately 0.28 acres located at 2635 Smith Springs Road, approximately 650 feet west of Bell Road from One and Two-Family Residential (R10) to Specific Plan- Mixed Use Non-Residential (SP- MNR) zoning to permit personal care services and office uses.

**Existing Zoning**  
R10 District

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

**Proposed Zoning**  
SP-MNR District

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

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**ANTIOCH/PRIEST LAKE**  
**COMMUNITY PLAN**

Neighborhood Center (NC)

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

# SMITH SPRINGS ROAD

$\Delta = 03^{\circ}06'01''$   
 $R = 1478.46'$   
 $Ch = 79.99'$

S  $74^{\circ}59'57''$  E

L = 80.00'

25'

1.12' to conc. monument

PROPOSED SIGN

SHARED ACCESS EASEMENT

26' Hackberry

concrete

1-story brick & vinyl

wood deck

3' LANDSCAPE BUFFER

8' SPLIT FACE CONC. WALL

concrete drive

12' Hackberry

(44)

solid

wood

fence

FENCE TO BE 6' HIGHER

N  $87^{\circ}44'23''$  W

89.83'

153.03'

19.27' W

S  $16^{\circ}16'09''$  W

3.39'

15.1'

Saadi Aljasawy & Thakrah Alshaaban  
 (45)  
 Instrument #200701080003324



## Metro Planning Commission Meeting of 7/24/08

### Consistent with Policy?

Yes. The proposed plan, with the inclusion of the recommended conditions, is consistent with the intent of the Neighborhood Center Policy.

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### PLAN DETAILS

The property is located on the south side of Smith Springs Road just west of Bell Road. A residential structure currently exists on the property, and the property is surrounded by other residential uses.

The SP calls for the existing residential structure to be converted to a barber shop (personal care services). The SP also would allow for the structure to be used for an office or combination of the two uses. Ingress will be provided from a drive located west of the existing building and egress will be from a drive east of the existing building. A total of 11 on-site parking spaces are shown. All parking is located to the rear of the structure. A 6' tall solid split faced masonry wall will be provided along the western property line, and a 6' tall solid wood fence is shown along the southern and eastern property lines.

### Analysis

While the requested use is consistent with the area's NC policy the property is surrounded by existing residential uses, and it is important to ensure that the SP will not have a negative impact on these residences. With the right site requirements, any negative impact to the surrounding area can be limited as the proposed barber shop and office uses for this SP are not intense in nature.

Buffering the proposed SP from the existing residential uses is a key site element that can help reduce the development's impact on surrounding area. The western and southern property lines on the site are also the outer edges of the Neighborhood Center policy. The properties to the immediate south and west are in a residential policy and more emphasis on screening is needed along these shared property lines.

To provide buffering for the residential property to the west, the plan calls for a 6' tall solid split faced masonry wall to run from the front setback line to the rear property line. This is sufficient as it provides adequate screening of the SP from the home. The use of a solid concrete wall also signifies the dividing line between the two policy areas. A 6' tall solid wood privacy fence is shown along the southern property line, and because this



## Metro Planning Commission Meeting of 7/24/08

property line is a shared rear property line then the proposed wood fence is adequate.

The property to the east is a residential structure but is within the NC policy. To ensure that the existing use is protected a 6' tall solid wood privacy fence is needed and should run from the front setback line to the rear property line. This fence can be temporary and could be removed if and when the property to the east develops as a nonresidential use.

Coordination and management of curb cuts along roadways is important within NC policy areas and along this section of Smith Springs Road. To allow for coordinated access with the adjacent property to the east, a shared access easement is needed. The easement will give the Planning Commission the opportunity to look at shared access if the site to the east develops as a nonresidential use.

To further limit the negative impacts the proposed SP could have on neighboring residential properties, planning staff recommends that further conditions addressing signs, be placed on the site.

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**RECENT REZONINGS**

None

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**STORMWATER  
RECOMMENDATION**

Approved

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**PUBLIC WORKS  
RECOMMENDATION**

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

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**STAFF RECOMMENDATION**

Staff recommends that the request be approved with conditions. The proposed SP meets the intent of the area's Neighborhood Center policy and with the recommended conditions of approval, the SP should not have a negative impact on the surrounding residential uses.



## Metro Planning Commission Meeting of 7/24/08

### CONDITIONS

1. A 6' tall solid wood privacy fence shall be constructed along the eastern property line. Fence shall run from the front setback line to the rear property line. Removal of the fence shall be approved by the Planning Commission or Planning Director, and shall not be approved until such time that the adjacent property to the east is zoned to a nonresidential use.
2. A 6' tall solid masonry wall shall be constructed along the western property line and shall run from the front setback line to the rear property line.
3. Signage shall be limited to one free standing sign that shall not be more than 5 feet in height and may not exceed 20 square feet in size. Signs shall not be illuminated. No other signs other than directional signs as specified in the Metro Zoning Code shall be allowed.
4. Any modification to the existing building that will increase the total floor area or reduce total parking spaces shall be approved by the Planning Commission or the Planning Director and may require Council approval.
5. A shared access easement along the eastern property line shall be platted or recorded by instrument with the Davidson County Register of Deeds Office prior to the issuance of any building permits for the SP. The easement shall be 15' in width and run from the front property line to the rear property line.
6. A sidewalk is required along Smith Springs Road and must be constructed upon the issuance of any building permits for the SP. Construction plans for the sidewalk must be submitted to the Department of Public Works for approval.
7. The only uses allowed in this SP are personal care services and office. All other uses are prohibited.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or



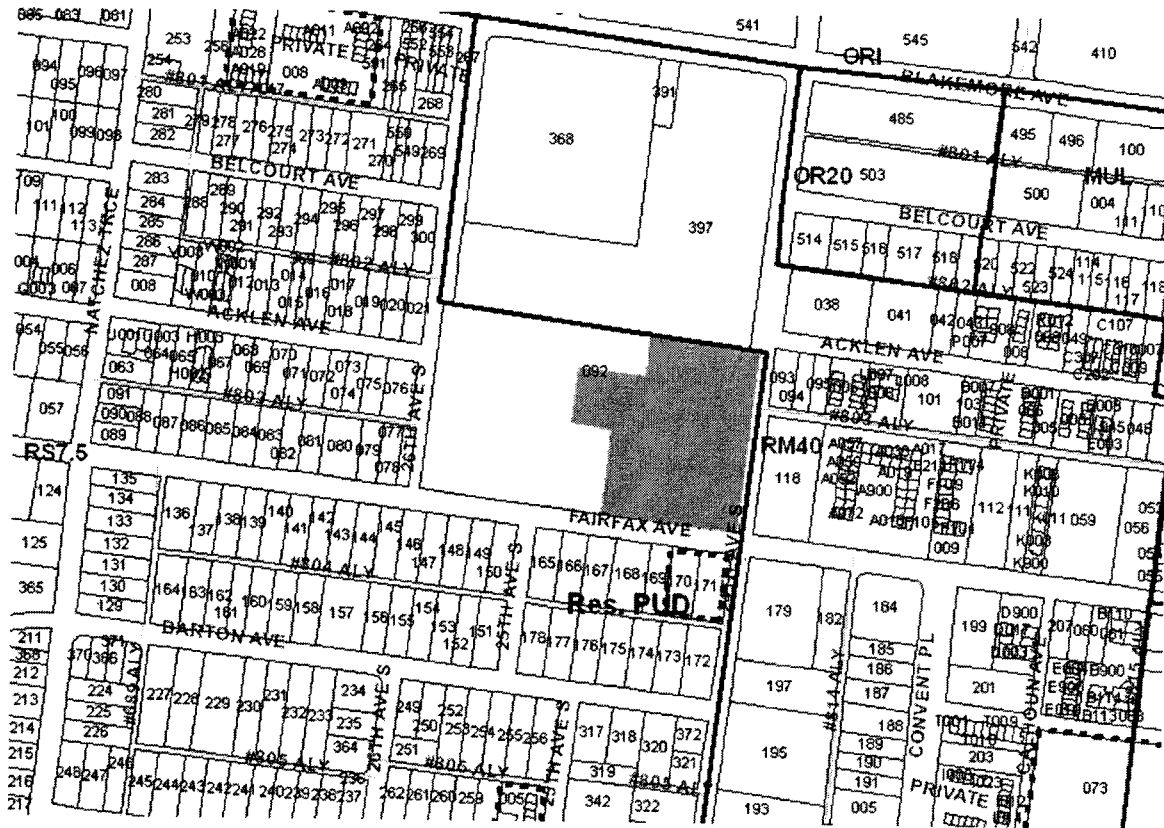
## Metro Planning Commission Meeting of 7/24/08

Council approval, the property shall be subject to the standards, regulations and requirements of the MUN zoning district as of the date of the applicable request or application.

9. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
10. Minor adjustments to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All adjustments shall be consistent with the principles and further the objectives of the approved plan. Adjustments shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
11. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

**SEE NEXT PAGE**





**2008SP-015U-10**  
 Map: 104-11 Parcel: PART OF 092  
 Subarea 10  
 Council District 18 – Keith Durbin



<b>Project No.</b>	<b>Zone Change 2008SP-015U-10</b>
<b>Project Name</b>	<b>Martin Professional Development Center</b>
<b>Council District</b>	18 - Durbin
<b>School District</b>	8 - Fox
<b>Requested by</b>	Metro Board of Education, owner
<b>Staff Reviewer</b>	Jones
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**APPLICANT REQUEST**  
**Preliminary SP**

**A request to change from Single-Family Residential (RS7.5) to Specific Plan (SP) zoning for a portion of property located at 2400 Fairfax Avenue, at the northwest corner of Fairfax Avenue and 24th Avenue South (4.2 acres), to permit community education, staff and teacher training, and an office for The Nashville Alliance for Public Education in existing structures totaling 44,568 square feet.**

**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.

**Urban Zoning Overlay**

The primary intent of the urban zoning overlay district is to preserve and protect existing development patterns that predate the mid-1950s in portions of metro Nashville that were originally developed before that time and to ensure the compatibility of new development in those older portions of the city.

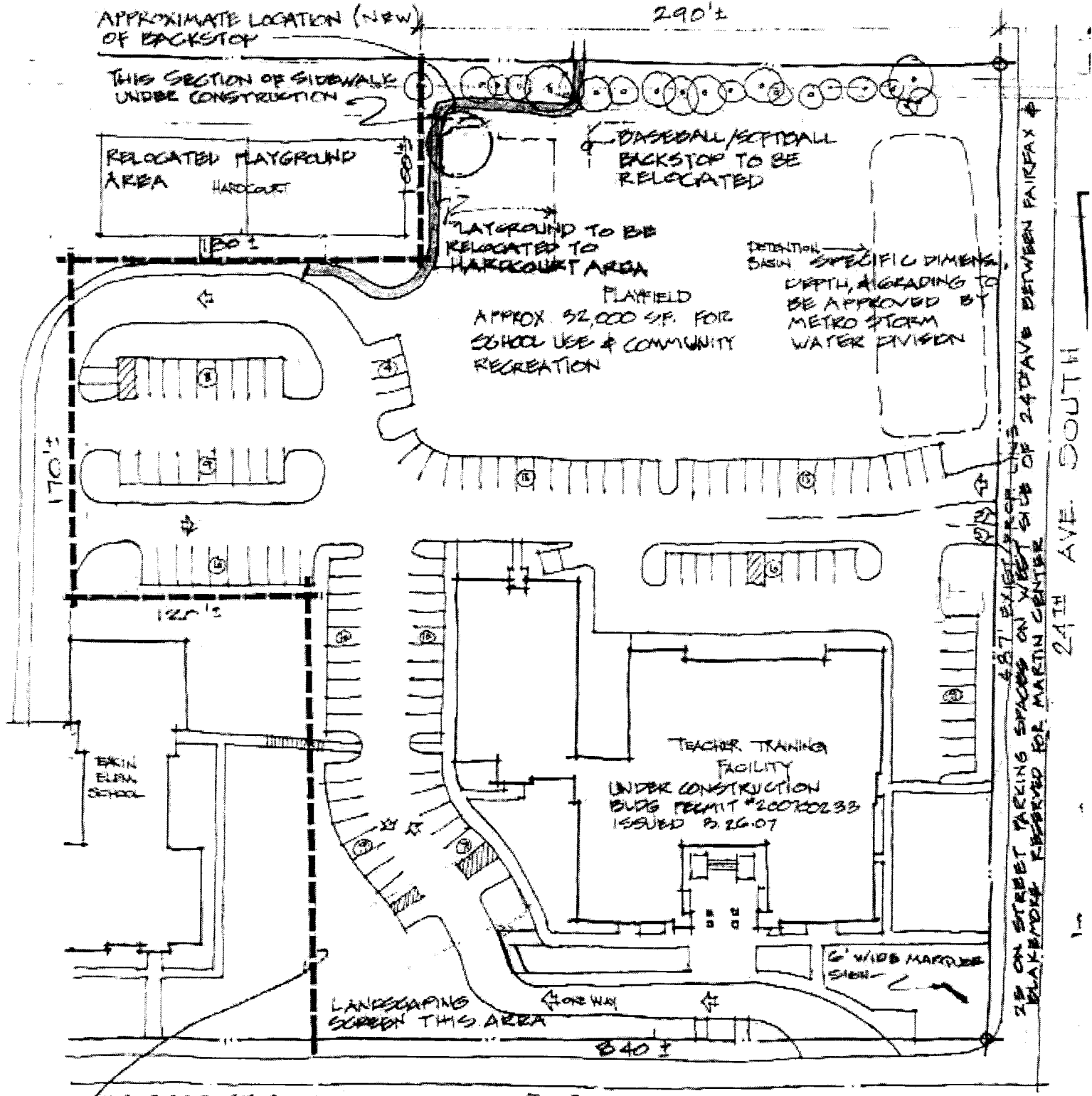
**Historic Landmark Overlay**

The Historic Landmark (HL) designation honors the historical significance of a landmark and protects the building or the site's unique character. The HL designation prohibits the construction, alteration, repair, relocation or demolition in whole or in part of a structure and has no impact on use.

**Proposed Zoning**  
 SP District

Specific Plan is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. (Note: The Historic Landmark Overlay and Urban Zoning Overlay will remain on the property.)

MARTIN PROFESSIONAL DEVELOPMENT CENTER SP DEVELOPMENT PLAN  
AND FINAL SITE PLAN





## Metro Planning Commission Meeting of 7/24/2008

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### GREEN HILLS MIDTOWN COMMUNITY PLAN

#### Open Space (OS)

OS policy is intended to encompass public, private not-for-profit, and membership-based open space and recreational activities. The OS designation indicates that recreational activity has been secured for an open space use. Types of uses intended within OS and POS areas range from active passive recreational areas, reserves, land trusts and other open spaces to civic uses and public benefit activities deemed by the community to be "open space."

#### Consistent with Policy?

Yes. The proposed uses include a community education and teacher training facility, and an office specific to a public education organization. The uses also include a playfield area for community recreation. The Open Space (OS) policy supports open space areas with uses such as schools and recreation centers.

---

### PLAN DETAILS

The site plan has been designed to accommodate a 44,568 square foot education training facility, a playfield for community recreation, and on-site parking on approximately 4.2 acres. Previous uses included the playground area and the baseball/softball backstop will be relocated to other areas on the site. The backstop will be relocated within the SP, while the playground area will be moved to that portion of the property zoned RS7.5.

#### Access/Parking

Driveway connections provide direct access to the site from both Fairfax Avenue and 24<sup>th</sup> Avenue South. There are existing sidewalks along Fairfax Avenue and 24<sup>th</sup> Avenue South and an internal pedestrian network is included on site. The site plan illustrates 116 parking spaces.

#### Landscaping

The landscaping plan illustrates interior plantings throughout the site. Several existing trees and shrubs are planned to remain, while additional plantings will be installed in the newly constructed parking areas. Perimeter landscaping will also be installed to screen the playfield and the interior parking area from 24<sup>th</sup> Avenue South.

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### HISTORIC COMMISSION RECOMMENDATION

Approved

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# Metro Planning Commission Meeting of 7/24/2008

## PUBLIC WORKS RECOMMENDATION

### Typical and 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)	3.88	4.94	19	182	15	20

### Typical and Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Community education/ office (710)	3.88	N/A	44,568	717	99	129

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				+535	+84	+109

## STAFF RECOMENDATION

Staff recommends approval with conditions of the request to rezone 4.2 acres from single-family residential (RS7.5) to Specific Plan (SP). The proposed community education, office and recreation uses are consistent with the intent of the Open Space land use policy.

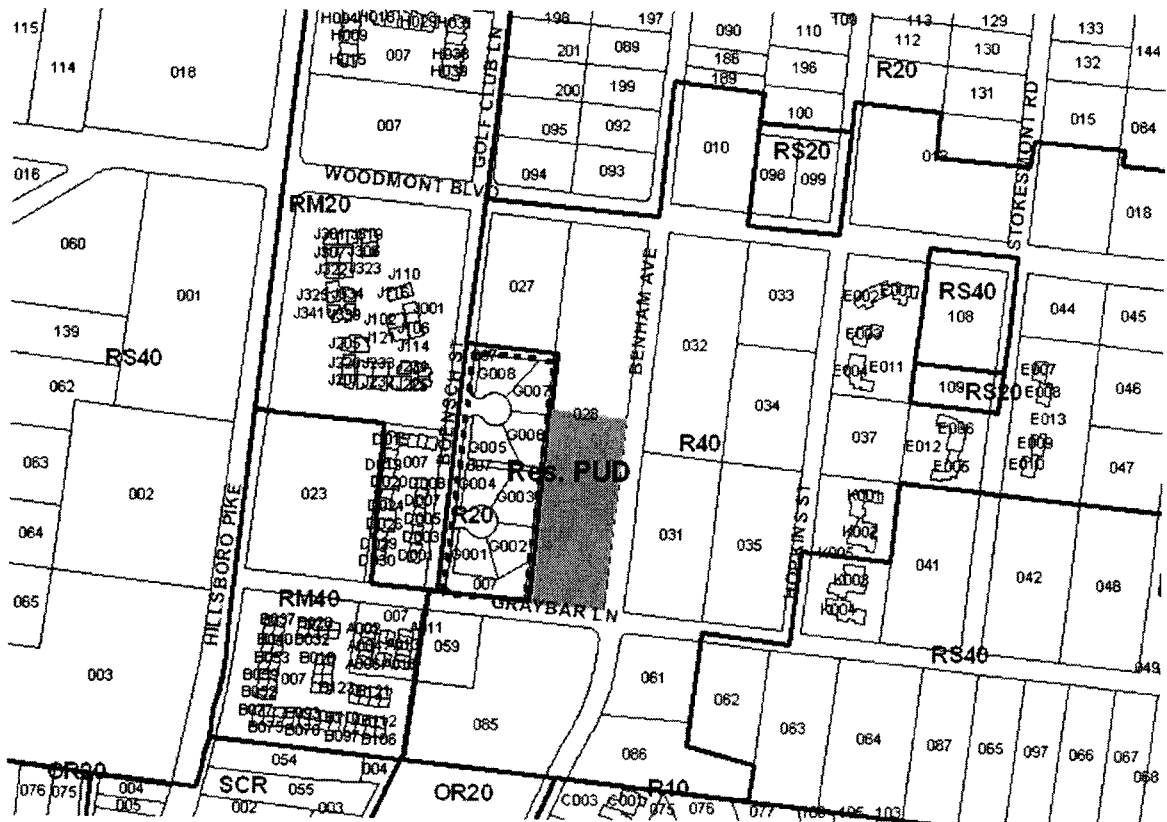
## CONDITIONS

1. The SP uses shall be limited to community education, staff and/or teacher training and offices for the Nashville Alliance for Public Education.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RS7.5 zoning district as of the date of the applicable request or application.
3. A corrected copy of the SP final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after consideration by Planning Commission. If a corrected copy of the SP final site plan incorporating the conditions therein is not provided to the Planning Department within 120 days after the date of conditional approval by the Planning Commission,



## **Metro Planning Commission Meeting of 7/24/2008**

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



**2008SP-018U-10**

Map: 117-11 Parcel: PART OF 028

Subarea 10

Council District 25 – Sean McGuire



**Project No.** Zone Change 2008SP-018U-06  
**Project Name** Gardner School SP  
**Council District** 25 - McGuire  
**School District** 8 - Fox  
**Requested by** Civil Site Design Group PLLC, applicant, for Easter Seals Tennessee, Inc., owner

**Staff Reviewer** Bernards  
**Staff Recommendation** *Approve with conditions*

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**APPLICANT REQUEST**  
**Preliminary SP**

**A request to change from One and Two-Family Residential (R40) to Specific Plan Institutional (SP-INS) zoning for a portion of property located at 1900 Graybar Lane, at the northwest corner of Graybar Lane and Benham Avenue (2.3 acres), to permit a Class IV daycare facility in an existing 13,725 square foot building.**

**Existing Zoning**  
R40 District

R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots.

**Proposed Zoning**  
SP-INS District

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

---

**GREEN HILLS/MIDTOWN**  
**COMMUNITY PLAN**

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Consistent with the Policy?

Yes. A daycare center is an appropriate use within the RLM land use policy area.

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**PLAN DETAILS**

Proposed Use

The requested rezoning to SP-INS would permit a Class IV daycare in the former Easter Seals/McWhorter Family Children's Center facility which previously housed a Class III daycare. The Class III daycare accommodates fifty-one



WOODMONT BV

PRIMARY ACCESS

NOT PART OF SP PLAN

NOT PART OF SP PLAN

FUTURE LOT LINE  
(TO BE ESTABLISHED BY PLAT)

EXISTING DUMPSTER

BENHAM AV  
(UNIMPROVED)

CHANNEL KIRK LN

OXTON HILL LN

LOT 1

SECONDARY ACCESS

GRAYBAR LN

BENHAM AV

Parcel ID: 1171100007000  
Owner: LEWIS, FRANK R. & LORRI H.  
Address: 200 CHANNEL KIRK LN  
Zone: R40  
Document: DB-20000308 0046022

Parcel ID: 1171100000000  
Owner: MORGAN, H. BROOKS & RUTH P.  
Address: 105 OXTON HILL LN  
Zone: R20  
Document: DB-20000620 0099898

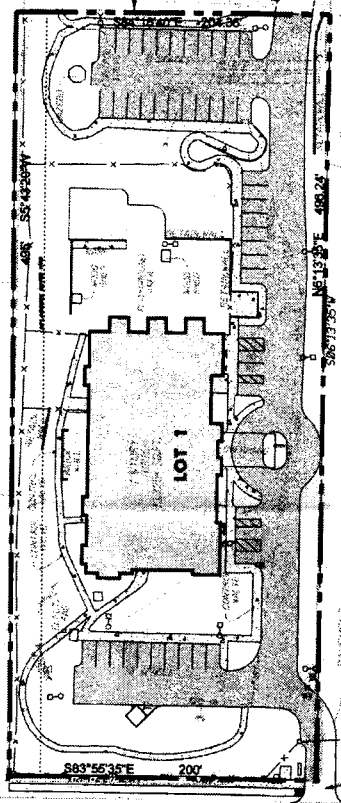
Parcel ID: 1171100000000  
Owner: SCHUYLER, THOMAS J. & SARAH T.  
Address: 194 OXTON HILL LN  
Zone: R20  
Document: DB-20011220 1000940

Parcel ID: 11711000000  
Owner: NELSON, OSCAR T. JR. & PATRICIA  
Address: 1821 WOODMONT BLVD  
Zone: R40  
Document: DB-20041218 0148890

Parcel ID: 11711003100  
Owner: NELSON, OSCAR T. JR.  
Address: 1808 GRAYBAR LN  
Zone: R40  
Document: DB-20000646 1006539

Parcel ID: 11711005600  
Owner: METZCO, GREEN HILLS BRANCH  
Address: 3701 BENHAM AVE  
Zone: CR20  
Document: DB-20011300 0000106

Parcel ID: 11711000100  
Owner: LIN, BO-SEI I., CHING, L. & HUI-KO, JUAN  
Address: 1808 GRAYBAR LN  
Zone: R40  
Document: DB-20000630 0034637





## Metro Planning Commission Meeting of 7/24/2008

through seventy-five individuals. A Class IV daycare accommodates more than seventy-five individuals. The state mandated capacity of the proposed facility will be 174 individuals. A Class IV daycare is not permitted in the single-family or two-family zoning districts, therefore, the applicant is requesting a rezone to SP.

The property proposed for the Class IV daycare center would comply with the Special Exception requirements of Section 17.16.170.C of the Metro Zoning Code if the appropriate zoning district were in place. Class IV daycare centers are permitted only if the site qualifies as a preferred location and satisfies the development standards of Class III daycare centers. The preferred location requirement is satisfied as this daycare center will be the principal use serving as an adaptive reuse of a vacant institutional facility. The three development standards are addressed. The property contains 2.3 acres where a minimum lot size of one and one-half acre is required. The primary driveway access will be on Woodmont Blvd, a collector street, via an access easement through a portion of the property that is not included within the proposed SP. The required standard C Landscape Buffer Yard along property lines abutting a residential zone district is currently in place on the property.

The Class IV daycare center will be housed within the existing building. Interior modifications are proposed to improve room layout and the increased capacity will be contained within the existing structure. No exterior changes to the existing building are proposed. There is sufficient on-site parking currently to accommodate the proposed increased capacity.

### Bulk Standards

The most similar zoning district in terms of the proposed bulk standards is the RM2 district. Using RM2 as the "fallback" district does not mean that multi-family residential uses will be permitted, only that the bulk standards such as height, setback and floor area ratio for RM2 would apply where a standard is not otherwise specified in the SP. The use permitted within this SP is a Class IV daycare center.

### Board of Zoning Appeals (BZA)

The BZA considered a Special Exception in March 2001 for the former childcare facility on this property. The BZA approval of the Special Exception for the Class III daycare center included a number of conditions. The BZA conditions included landscaping, fencing, hours of operation and identification of the dumpster. Those



## Metro Planning Commission Meeting of 7/24/2008

conditions have been included in this SP. The landscaping plan approved by the BZA in March 2001, will become part of this SP.

### Access

The BZA approval of the Special Exception for the Class III daycare also included a condition that access onto Graybar Lane be restricted. There is currently a gate at this access point. The applicant has requested that this access point be opened. Staff recommends two access points for the proposed Class IV daycare be provided with the primary access point located at Woodmont Boulevard and a secondary access point on Graybar Lane. A cross access easement across the portion of the property not included within this SP will to be recorded when the property is subdivided and will provide the primary access to Woodmont Boulevard.

The two full access points will provide for a better flow of traffic into the daycare for drop-off and pick-up. If the Graybar Lane access remains gated, the Public Works Department would require that an eastbound right turn lane be installed at the Woodmont Blvd. access. The Public Works Department would also require verification that there remains adequate on-site traffic circulation and the drop-off area near the building still functions adequately with the one access only.

### Signage

The proposed signage includes one new monument sign and the existing sign in front of the building. The monument sign, proposed to be placed at the Graybar Lane entrance, would be four feet high and eight feet wide. The sign would be brick veneer to match the building, with brass lettering and lighted from the ground mounted lights on both sides. The second existing sign in front of the building would be re-lettered.

As the Graybar Lane entrance is intended to be a secondary access, the proposed sign must be reduced in total size, by at least 50% to reflect this secondary nature. A more appropriate sign would be one that would be placed onto one of the pillars on the Graybar Lane frontage identifying the Gardner School and the street address. Staff will need to review and approve the signage for this entrance.



# Metro Planning Commission Meeting of 7/24/2008

## WATER SERVICES RECOMMENDATION

Water service availability is based upon prepayment of Permit No. WSWT S200800374.

Sanitary sewer service is based upon prepayment of Permit No. WSST S20081112.

## FIRE MARSHAL RECOMMENDATION

Approved based on no construction being done this application. Any construction will require additional information.

## PUBLIC WORKS RECOMMENDATION

- All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.
- If Graybar lane access remains gated, developer shall install EB right turn lane on Woodmont at access and verify adequate on site traffic circulation and drop off area near building or submit revised TIS.
- Provide cross access between both proposed lots.

### Typical Uses in Existing Zoning District: R40

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single family detached (210)	2.3	0.93	2	20	2	3

### Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	Density	Total Number in Daycare Facility	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Daycare (565)	2.3	N/A	174 children max. in a 13,725 sq. ft. building	787	133	123

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				+767	+131	+120

## STAFF RECOMMENDATION

Staff recommends approval with conditions.

## CONDITIONS

1. The use of this SP shall be limited to a Class IV daycare center.



## Metro Planning Commission Meeting of 7/24/2008

2. Primary access to the site shall be from Woodmont Blvd. with secondary access from Graybar Lane.
3. An access easement providing access from Woodmont Blvd. shall be included on final plat when the property is subdivided.
4. If the Graybar Lane access remains gated, an eastbound right turn lane shall be installed on Woodmont Blvd. at the access point and adequate on site traffic circulation and drop off area near building shall be verified or a revised Traffic Impact Study shall be submitted.
5. Prior to the issuance of building permits, signage for the Graybar Lane entrance shall be reviewed and approved by staff.
6. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM2 zoning district as of the date of the applicable request or application.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the Planning Commission and Council shall be provided to the Planning Department prior to the filing of any additional development applications for this property, and in any event no later than 120 days after the effective date of the enacting ordinance. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.
8. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance



## Metro Planning Commission Meeting of 7/24/2008

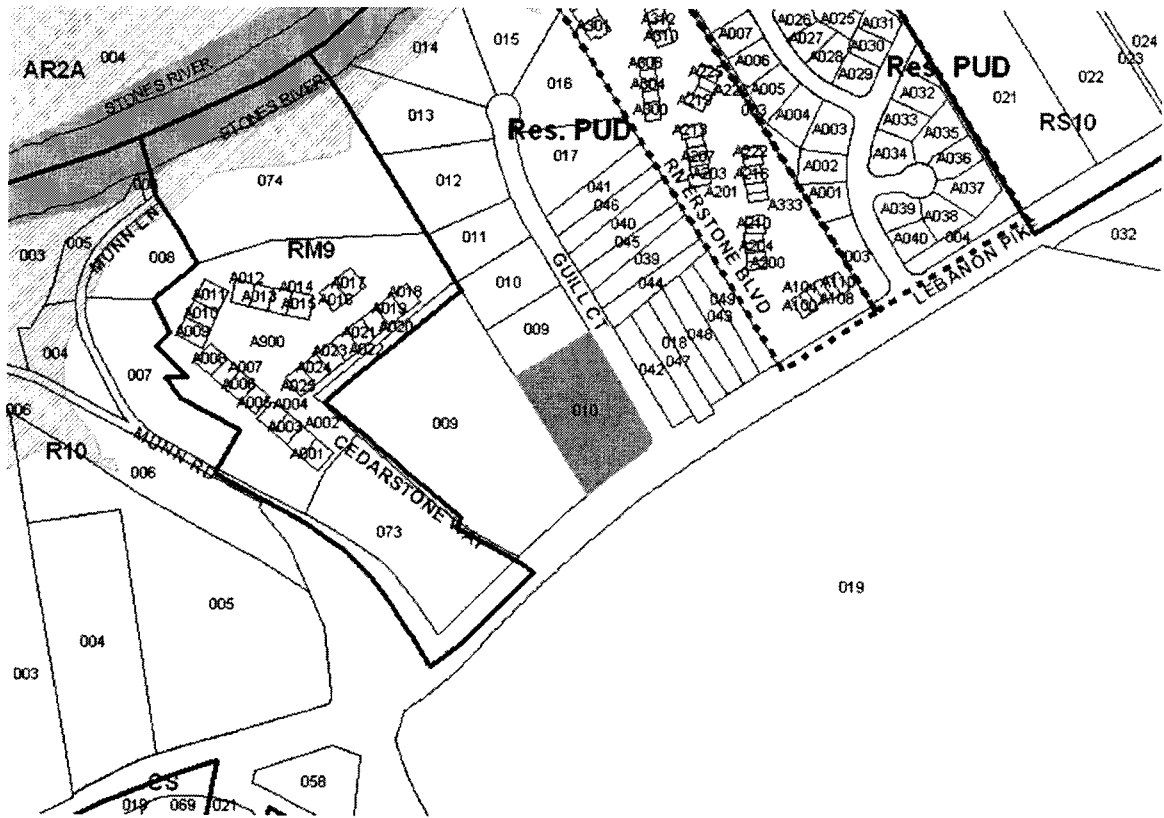
approved by Metro Council, that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

9. 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.

**SEE NEXT PAGE**

# **ZONING MAP AMENDMENTS**





2008Z-064U-14

Map: 096-02 Parcel: 010

Subarea 14

Council District 14 – Bruce Stanley



**Project No.**  
**Council District**  
**School District**  
**Requested by**

**Zone Change 2008Z-064U-14**  
14 - Stanley  
4 - Glover  
George Abisellan, owners

**Staff Reviewer**  
**Staff Recommendation**

Sexton  
*Disapprove*

**APPLICANT REQUEST**

**A request to change from One and Two-Family Residential (R10) to Commercial Limited (CL) zoning for property located at 2918 Lebanon Pike, at the northwest corner of Lebanon Pike and Guill Court (1.4 acres).**

**Existing Zoning**  
R10 District

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

**Proposed Zoning**  
CL District

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

**DONELSON/HERMITAGE COMMUNITY PLAN**

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

**Consistent with Policy?**

No. RLM policy is intended to accommodate residential development. If approved, CL zoning would permit commercial uses that are inconsistent with the residential policy as well as the character of the neighborhood.

**PUBLIC WORKS RECOMMENDATION**

Typical Uses in Existing Zoning District: **R10**

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single family detached (210)	1.4	3.7	5	48	4	6



## Metro Planning Commission Meeting of 7/24/2008

### Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.4	0.198	12,074	262	35	35

### Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Density	Total Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	1.4	3.7	5	48	4	6

### Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	1.4	0.06*	3,659	2701	246	192

\*Adjusted for the type of use.

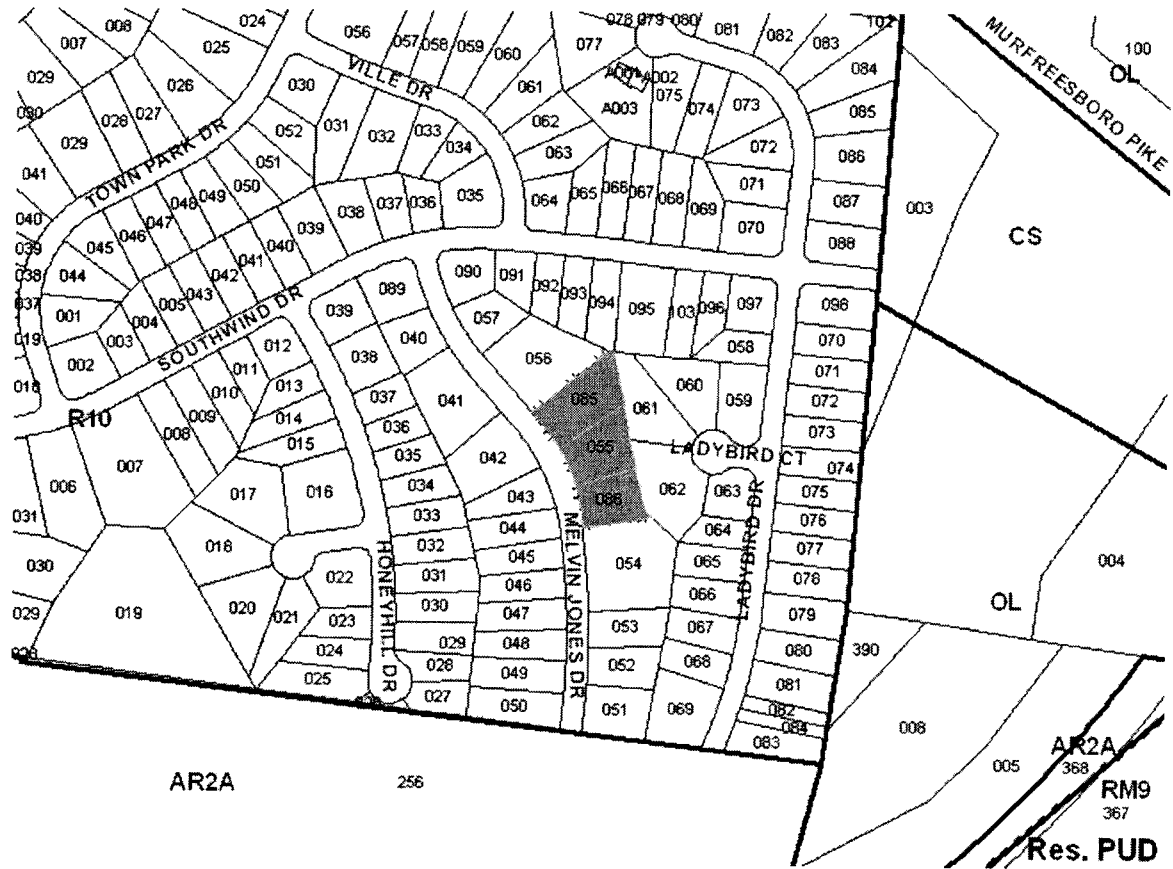
### Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				2653	242	186

### STAFF RECOMMENDATION

Staff recommends that the request be disapproved because the requested CL zoning is inconsistent with the RLM policy.

# **FINAL PLAT SUBDIVISIONS**



**2008S-062U-13**  
 Town Park Estates, Resub Lot 61(Sidewalk Variance)  
 Map: 135-05 Parcels: 055, 085, 086  
 Subarea 13  
 Council District 28 – Duane A. Dominy



<b>Project No.</b>	<b>Subdivision 2008S-062U-13</b>
<b>Project Name</b>	<b>Town Park Estates, Resub. Lot 61</b>
<b>Council District</b>	28 – Dominy
<b>School Board District</b>	6 - Johnson
<b>Requested By</b>	Civil Site Design Group, applicant, for David Waynick, owner

<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve</i>

**APPLICANT REQUEST**  
**Sidewalk Variance**

**A request for a variance to the sidewalk requirements for a plat approved by the Planning Commission for 3 lots on property located at 312, 316 and 318 Melvin Jones Drive, approximately 450 feet south of Southwind Drive (1.3 acres).**

**ZONING**  
R10 District

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

**REQUEST DETAILS**

The applicant is requesting a variance from the sidewalk requirement for Lots 2 and 3 of a previously approved subdivision. The subdivision is within the Urban Services District and Section 3-8 of the Metro Subdivision Regulations 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.

History

The Town Park Estates, Resub. Lot 61 plat created three lots and was approved by the Planning Commission with conditions on April 10, 2008. A condition of the approval was that sidewalks must be constructed on two lots or that the applicant could make a contribution to the sidewalk fund in lieu of constructing the sidewalks. Prior to approval it was discovered that a stream existed along Melvin Jones Road adjacent to proposed Lots 2 and 3. Stormwater recommended deferral or disapproval, but the issues were worked out prior to the meeting and Stormwater revised their recommendation accordingly. The plat was subsequently recorded. Because the lots contained significant slopes, it was necessary for the Planning Department to review critical lot plans for each lot prior to the issuance of building permits. During the critical lot review process, Planning





## Metro Planning Commission Meeting of 7/24/08

staff discovered that the sidewalk requirements could only be met if the applicant received a variance to the stormwater requirements from the Stormwater Appeals Committee because the buffer would require that the sidewalk be placed approximately 30 feet up the hill away from the street.

### Sidewalk Variance

Due to the stream and the required 30' wide water quality buffer, construction of sidewalks is difficult. The buffer extends across the entire frontage for Lot 3 and a large portion of Lot 2. A variance from the sidewalk requirement is needed for both lots.

Variations from the subdivision regulations may be granted by the Planning Commission if it finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, and that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Planning Commission shall make findings based upon the evidence presented to it in each specific case that:

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

### Analysis

Due to the existing stream and 30' wide water quality buffer any sidewalk on Lots 2 and 3 would have to be constructed approximately 40' from the road. Both lots are on a large hill and the sidewalk would require a





## Metro Planning Commission Meeting of 7/24/08

portion of the hill to be benched as well as the removal of several large mature trees.

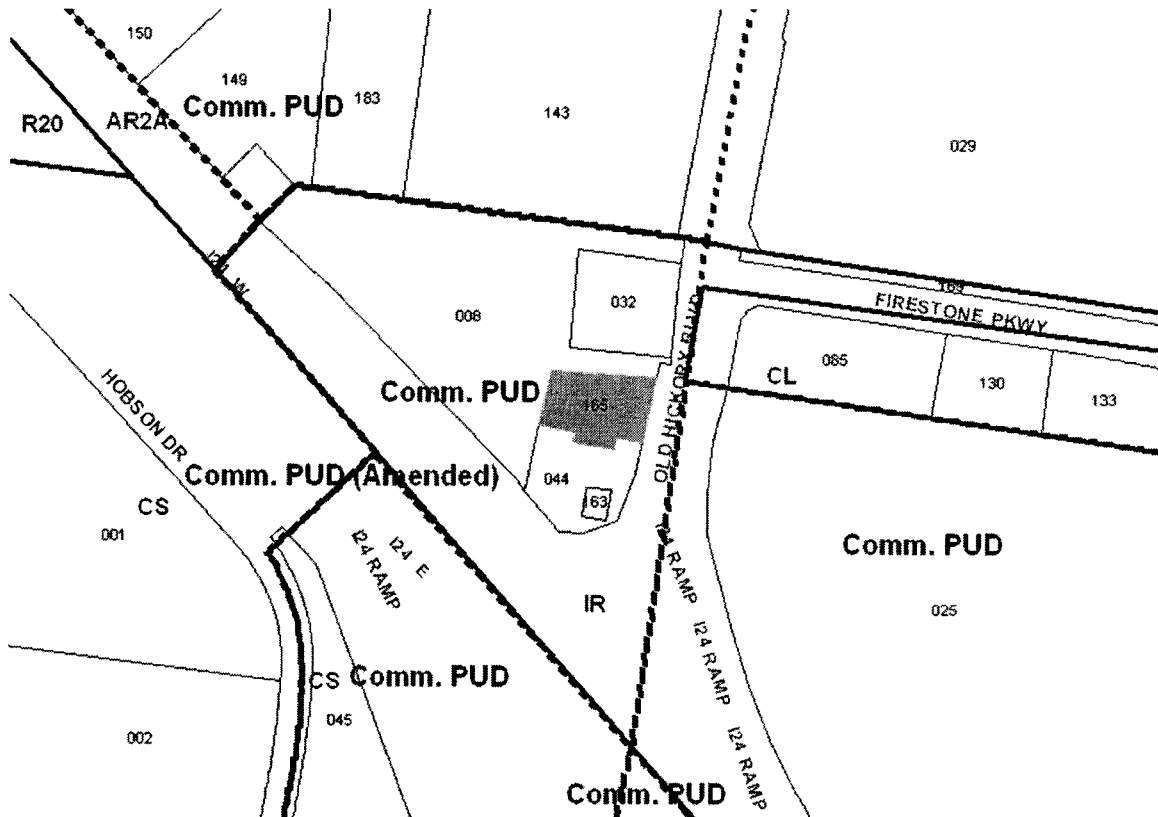
For a variance to be approved the applicant must demonstrate a hardship. The constraints due to the width of the buffer and the topography of the site represent a legitimate hardship.

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### **STAFF RECOMMENDATION**

Staff recommends that the variance from the sidewalk requirement for Lots 2 and 3 as specified in Section 3-8 of the Metro Subdivision Regulations be approved.

**REVISIONS  
and FINAL SITE PLANS**



**149-66-U-13**

Shell Sign Variance

Map: 183-00 Parcel: 165

Subarea 13

Council District 32 – Sam Coleman



<b>Project No.</b>	<b>Planned Unit Development 149-66-U-13</b>
<b>Project Name</b>	<b>Shell Sign Variance</b>
<b>Council District</b>	32 - Coleman
<b>School District</b>	6 - Johnson
<b>Requested by</b>	Premier Signs, applicant, for Welton Investments, owner
<b>Staff Reviewer</b>	Jones
<b>Staff Recommendation</b>	<i>Disapprove</i>

---

**APPLICANT REQUEST**  
**Sign Variance**

**A request for a variance to Sections 17.32.130 and 17.12.020 of the Zoning Code for property within a Commercial Planned Unit Development district located at 13016 Old Hickory Boulevard, approximately 320 feet north of I-24, zoned Industrial Restrict (IR) (0.57 acres), to permit a second ground sign with a sign area of 169 square feet and a height of 80 feet, where only one ground sign is allowed with a maximum sign area of 288 square feet and a 40 foot maximum height.**

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**PLAN DETAILS**

**History**

A commercial PUD overlay was applied to this site in 1966. The current uses include a hotel, two restaurants, a cemetery, two convenience markets, and a total of six signs. Each of the convenience markets and the hotel has a pole sign facing Old Hickory Boulevard. In addition, there are interstate signs for the hotel, one restaurant and one of the convenience markets.

**Sign Details**

A second sign is proposed for the Shell gas station and market on parcel 165 of tax map 183. The proposed sign has an overall height of 80 feet and a total area of 169 square feet. The Metro Zoning Ordinance allows only one ground sign with a maximum height of 40 feet and a maximum sign area of 288 square feet at this site. The applicant is also requesting a reduction to the rear setback from 20 feet to 2 feet to allow the second ground sign to be located on site. An existing sign is located on the site oriented toward Old Hickory Boulevard. It measures 35 feet in height and has a sign area of 180 square feet. With the addition of a second sign, the total sign area at this property would be 349 square feet, which exceeds the maximum allowable sign area.



## Metro Planning Commission Meeting of 7/24/2008

The applicant has stated that the request for a second sign at the current location is due to the required removal of an existing sign located on an adjacent parcel within the PUD. The applicant has indicated that the Tennessee Department of Transportation (TDOT) is planning to widen the entrance ramp onto Interstate 24 at Old Hickory Boulevard where there is an existing Shell sign that must be removed to accommodate the road widening project. Staff has not received any information from TDOT or the Metropolitan Planning Organization (MPO) demonstrating that the road is, in fact, scheduled to be widened.

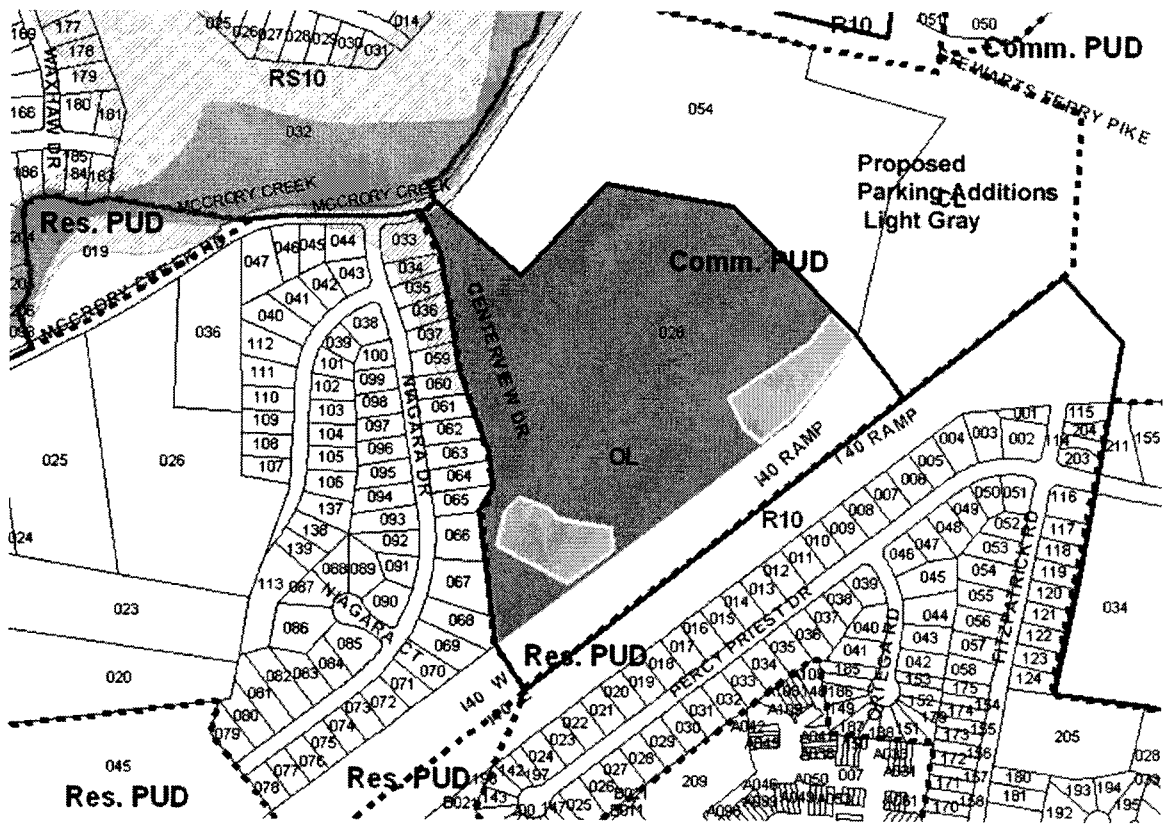
Since this request is within a PUD, the Planning Commission is required to make a recommendation to The Board of Zoning Appeals (BZA) to approve or disapprove the variance request. The BZA will make the final determination regarding the variance request.

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### **STAFF RECOMMENDATION**

Staff recommends that the Commission recommend disapproval of the variance for a second ground sign and a change in the rear setback. The applicant has not provided information relative to any unique characteristics that would warrant a variance for a second ground sign on this site. The proposed sign at 80 feet in height is twice the sign height permitted in any Metro Zoning District and 169 square feet in area exceeds the maximum allowable area for a sign at this location. A sign of this magnitude would function as an interstate sign, which is not allowed on property that is not adjacent to the interstate based on the sign regulations of the Metro Code. Furthermore, a second sign at a height of 80 feet would be inappropriate from a design standpoint within this PUD, which was not specifically approved for signage beyond what the Code normally allows.

**SEE NEXT PAGE**



**155-74-G-14**  
 Larchwood Commercial (Parking Lot Expansion)  
 Map: 096-00 Parcel: 028  
 Subarea 14  
 Council District 14 – Bruce Stanley



## Metro Planning Commission Meeting of 7/24/2008

**Item #14**

<b>Project No.</b>	<b>Planned Unit Development 155-74-G-14</b>
<b>Project Name</b>	<b>Larchwood Commercial PUD</b>
<b>Council District</b>	14 - Stanley
<b>School Board District</b>	4 - Glover
<b>Requested By</b>	Gresham, Smith and Partners, applicant for Commerce Center TN Tower, L.P., owner.
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

---

**APPLICANT REQUEST**  
**Revise Preliminary and PUD Final Site Plan**

**A request to revise the preliminary plan and for final approval for a portion of the Larchwood Commercial Planned Unit Development located at 100 Centerview Drive, approximately 845 feet south of Stewarts Ferry Pike, (25.36 acres), to permit a parking lot expansion from 868 to 1,239 spaces.**

**Zoning District**  
CL District

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

---

**PLAN DETAILS**

This is a request to revise the last approved preliminary plan and for final site plan approval for a portion of the Larchwood Commercial PUD. The property is located on the north side of Interstate - 40 just west of Stewarts Ferry Pike and immediately south of McCrory Creek Road. The property currently consists of a 248,000 square foot office building and large open parking area.

Preliminary Plan

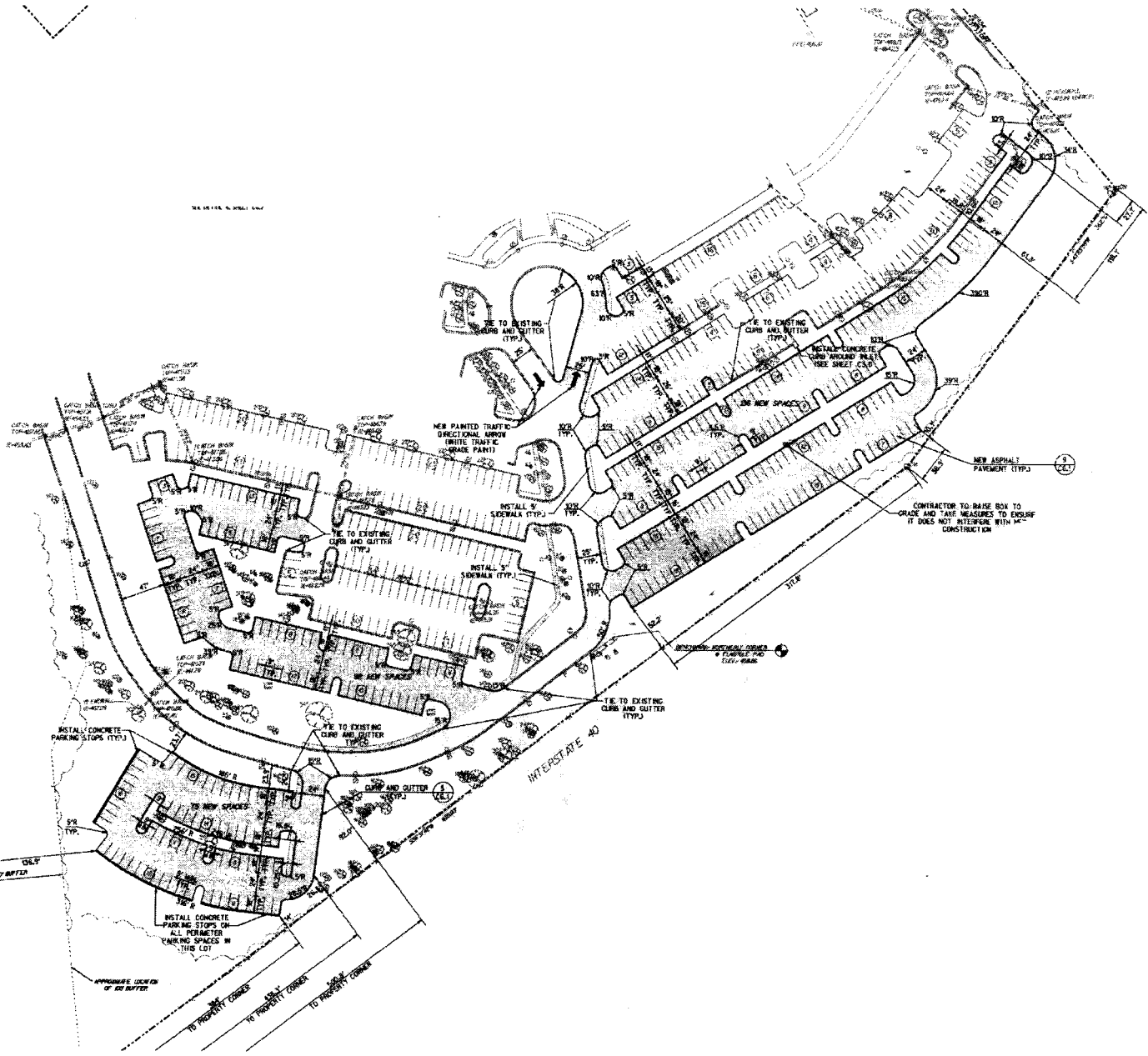
The Larchwood Commercial PUD is a large PUD that was originally approved in 1974. The majority of the PUD is located on the south side of Interstate - 40 and consists of hotels/motels, office, restaurants and other commercial and retail uses. The PUD has been revised numerous times in the past and the last approved plan for this site called for a 248,000 square foot office building and surface parking with 868 spaces.

Site Plan

The plan calls for 371 additional surface parking spaces in three separate locations. Two will be located north of the main entrance drive and extend existing parking areas. The third is located south of the internal drive. A new sidewalk is proposed from the new parking area to the office building.



WATERFALLS PARK SECTION 8  
EVEN 402. PAGE 81. ROAD  
LINED, RD



APPROXIMATE LOCATION OF PROPERTY LINE

INSTALL CONCRETE PARKING STOPS (TYP.)

INSTALL CONCRETE PARKING STOPS ON ALL FORMER PARKING SPACES IN THIS LOT

CONTRACTOR TO RAISE BOX TO GRADE AND TAKE MEASURES TO ENSURE IT DOES NOT INTERFERE WITH PC CONSTRUCTION

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Analysis

## Metro Planning Commission Meeting of 7/24/2008

The proposed revision increased the total number of parking spaces from 868 to 1,239 spaces. No other changes are proposed. The increased paved surface area is below the maximum Impervious Surface Ratio allowed in the CL base zone district and is in compliance with all other base zone standards. The proposed addition does not encroach into any of the buffers and is not visible from Mcrory Creek Road and is only partially visible from Interstate – 40. The proposed plan does not change the concept of the original PUD plan and is not inconsistent with the use on the site.

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### **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.

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### **STORMWATER RECOMMENDATION**

Approve

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### **STAFF RECOMMENDATION**

Staff recommends that the request be approved with conditions. The proposed plan does not change the concept of the original PUD plan and is not inconsistent with the use on the site.

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### **CONDITIONS**

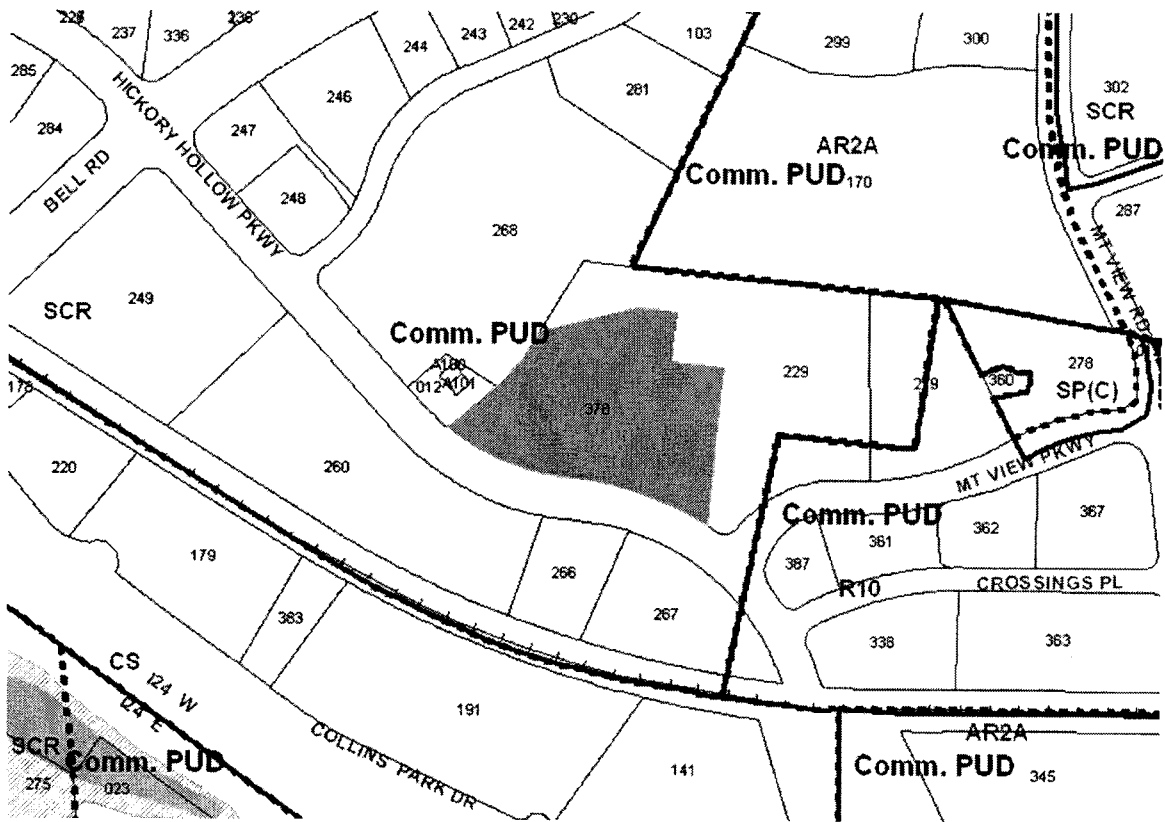
1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal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



## Metro Planning Commission Meeting of 7/24/2008

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.

**SEE NEXT PAGE**



**1-74-U-13**  
 Hickory Hollow Mall (The Living Word Ministries)  
 Map: 163-00 Parcel: 378  
 Subarea 13  
 Council District 32 – Sam Coleman



<b>Project No.</b>	<b>Planned Unit Development 1-74-U-13</b>
<b>Project Name</b>	<b>Hickory Hollow Mall PUD</b>
<b>Council District</b>	32 – Coleman
<b>School District</b>	6 – Johnson
<b>Requested By</b>	Bone McAllester Norton PLLC, applicant, for INSOUTH Bank, owner
<b>Staff Reviewer</b>	Jones
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

---

**APPLICANT REQUEST**  
**Revise Preliminary and**  
**PUD Final Site Plan**

**A request to revise the preliminary plan and for final site plan approval for a portion of the Hickory Hollow Mall Planned Unit Development located at 5380 Hickory Hollow Parkway, approximately 1,100 feet east of Bell Road, (5.1 acres), to permit a 40,000 square foot religious institution where a 40,000 square foot financial institution was previously approved and constructed, zoned Shopping Center Regional (SCR).**

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**PLAN DETAILS**

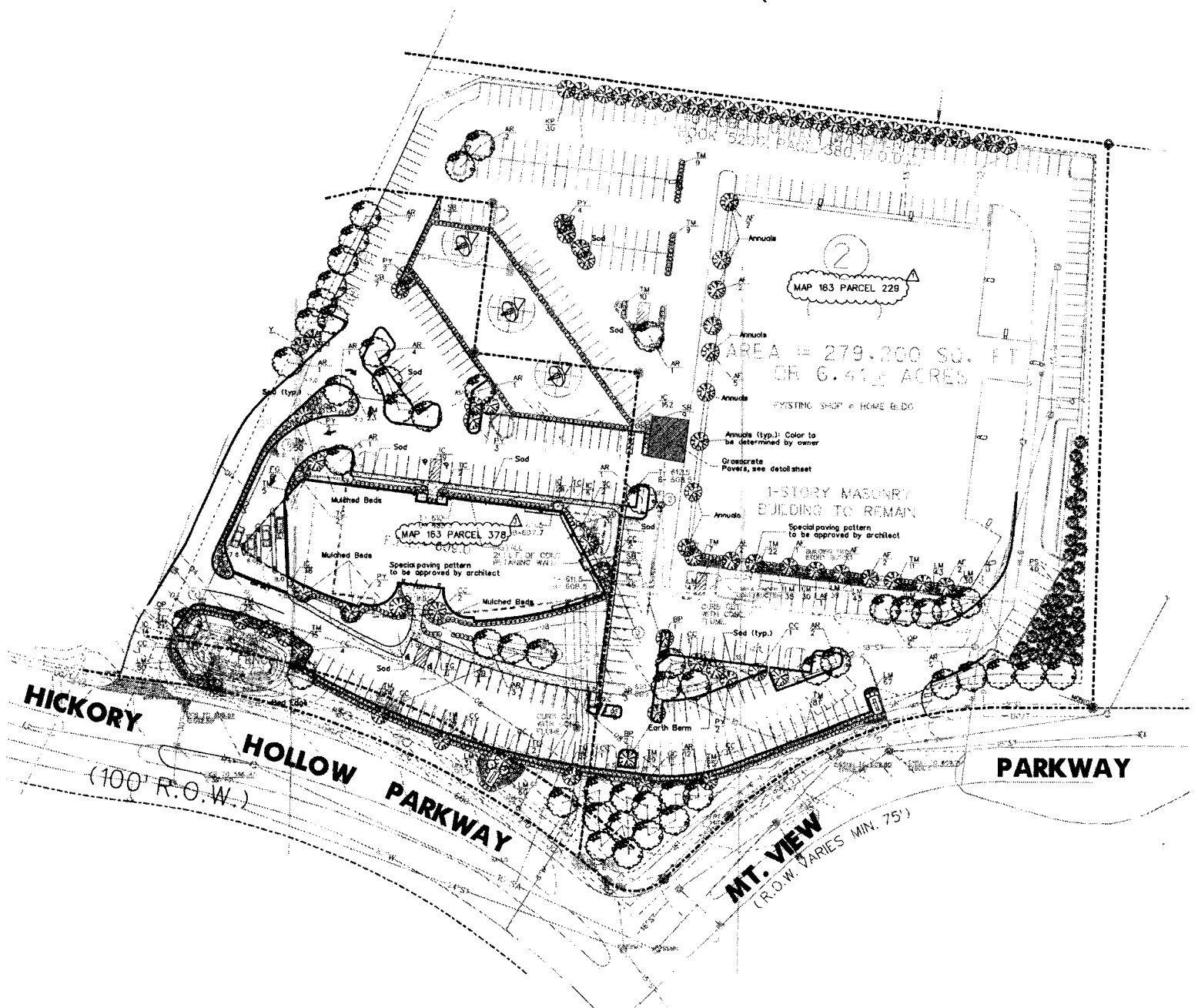
The plan proposes the re-use of an existing 40,000 square foot building for a religious institution. The underlying zoning district for this PUD is Shopping Center Regional (SCR) which was recently amended by the Metro Council to permit religious institution uses.

**Access/Parking**

The site has direct access to Hickory Hollow Parkway from an internal driveway that connects to other portions of the PUD and intersects Mt. View Parkway. The plan proposes to share parking with the adjacent office building within the PUD. The Zoning Code requires one parking space for every four seats in the sanctuary. The proposed plan includes 512 seats in the sanctuary and 128 parking spaces are available with this site and the adjacent office building. The Metro Zoning Ordinance allows shared parking for mixed use projects when the uses are located near one another and have different peak parking demands and operating hours. Presumably, the proposed church will have parking demands and operating hours that do not conflict with the adjacent office building.

**Sidewalks**

A pedestrian pathway exists around the perimeter of the building providing access to the parking area.



MAP 163 PARCEL 229

2  
MAP 163 PARCEL 229

AREA = 279,200 SQ. FT.  
OR 6.415 ACRES

EXISTING SHOP & HOME BLDG.

Annuae (typ.): Color to be determined by owner  
Grasscrete Pavers, see detail sheet

1-STORY MASONRY BUILDING TO REMAIN

Special paving pattern to be approved by architect

MAP 163 PARCEL 378

Special paving pattern to be approved by architect

HICKORY

HOLLOW PARKWAY

PARKWAY

(100' R.O.W.)

MT. VIEW  
(R.O.W. VARIES MIN. 75')



## Metro Planning Commission Meeting of 7/24/2008

### Landscaping

The plan includes a new landscaping plan that illustrates planting areas around the perimeter of the site and interior to the parking lot. The proposal includes upgrading the existing landscaping on site to meet the current Zone Code requirements.

### Preliminary Plan

The preliminary PUD plan was approved for a 40,000 square foot financial institution. The proposed plan does not alter the exterior of the existing building, nor does it change site layout or parking.

---

### **PUBLIC WORKS RECOMMENDATION**

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.
2. Provide parking per Metro Code.
3. An access study may be required if additional parking is required.

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### **STORMWATER RECOMMENDATION**

No comment.

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### **STAFF RECOMMENDATION**

Staff recommends approval of the revision to the preliminary plan and final approval of the PUD.

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### **CONDITIONS**

1. Add a purpose note to state: "The purpose of this site plan is to allow a religious institutional use within an existing 40,000 square foot building.
2. Change note #3 on sheet C1.01 to state: "Existing building to remain as is."
3. Remove note "New church for parcel 378" from sheet C1.01 and sheet L1.01.
4. A new shared parking study may be required if the office use on the adjacent Lot 2 is changed.
5. A revised plan shall be submitted showing trees at a minimum of one canopy tree for every fifteen parking spaces.
6. This approval does not include any signs. Signs in planned unit developments must be approved by the



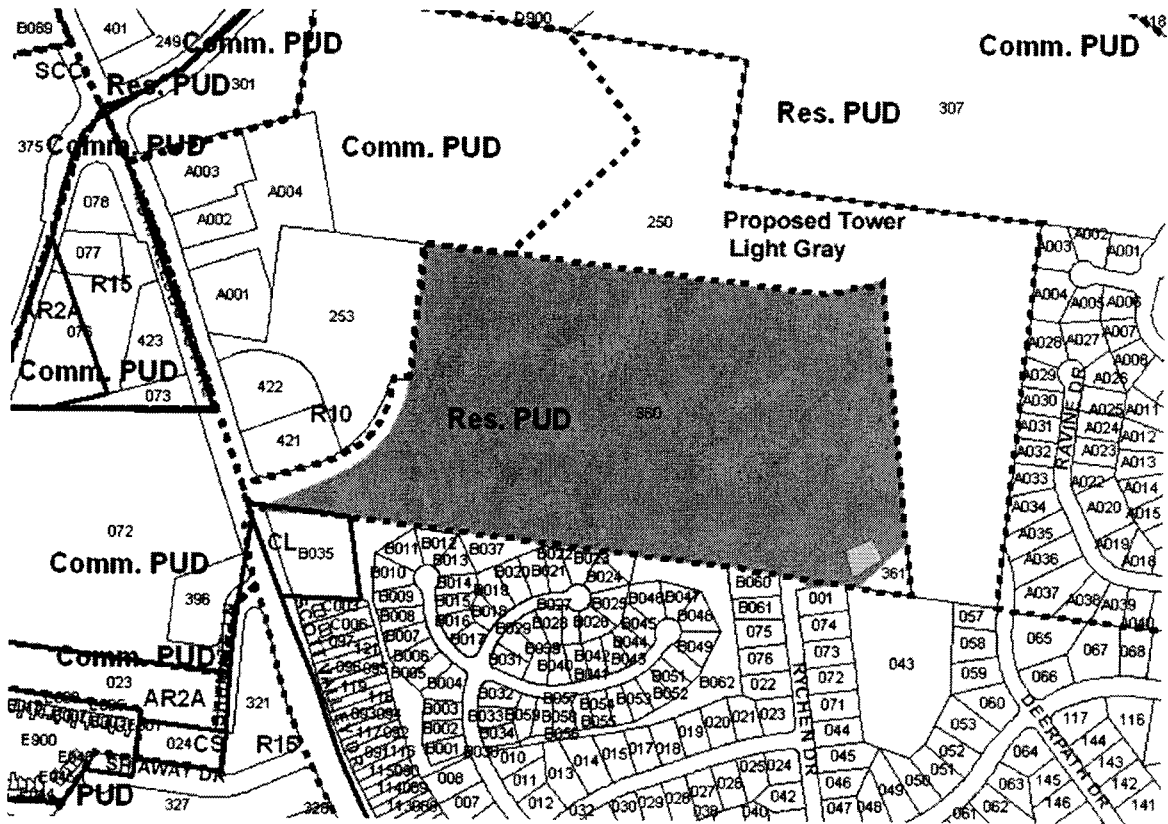


## Metro Planning Commission Meeting of 7/24/2008

Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.

7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
8. 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.
9. 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.

**SEE NEXT PAGE**



**78-81-U-13**  
 Brighton Valley Apartments (T-Mobile Tower Revision)  
 Map: 135-00 Parcel: 360  
 Subarea 13  
 Council District 29 – Vivian Wilhoite



**Project No.**  
**Project Name**

**Planned Unit Development 78-81-U-13**  
**Brighton Valley Apartments (T-Mobile Tower Revision)**

**Council District**  
**School Board District**  
**Requested By**

29 - Wilhoite  
6 - Johnson  
Atwell-Hicks, applicant, for MM Family Partnership, II and Overhill Apartment Partners, owners

**Staff Reviewer**  
**Staff Recommendation**

Logan  
*Approve with conditions*

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**APPLICANT REQUEST**  
**Revise Preliminary and PUD Final Site Plan**

**A request for a revision to the preliminary and for final approval for the Brighton Valley Apartments Planned Unit Development located at 500 Brooksboro Terrace, approximately 400 feet east of Murfreesboro Pike, zoned One and Two-Family Residential (R10) (31.36 acres), to permit the construction of a 150-foot monopole cell tower.**

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**PLAN DETAILS**

The proposed tower is located between two existing apartment buildings, near the top of a hill. This area is currently wooded and not used as active open space for the PUD. The plan demonstrates the fall zone for the tower in the unlikely event that it collapses. This fall zone does not impact any of the existing buildings. This plan is accompanied by a report, stamped by a registered engineer, detailing the structural standards to which this tower will be built.

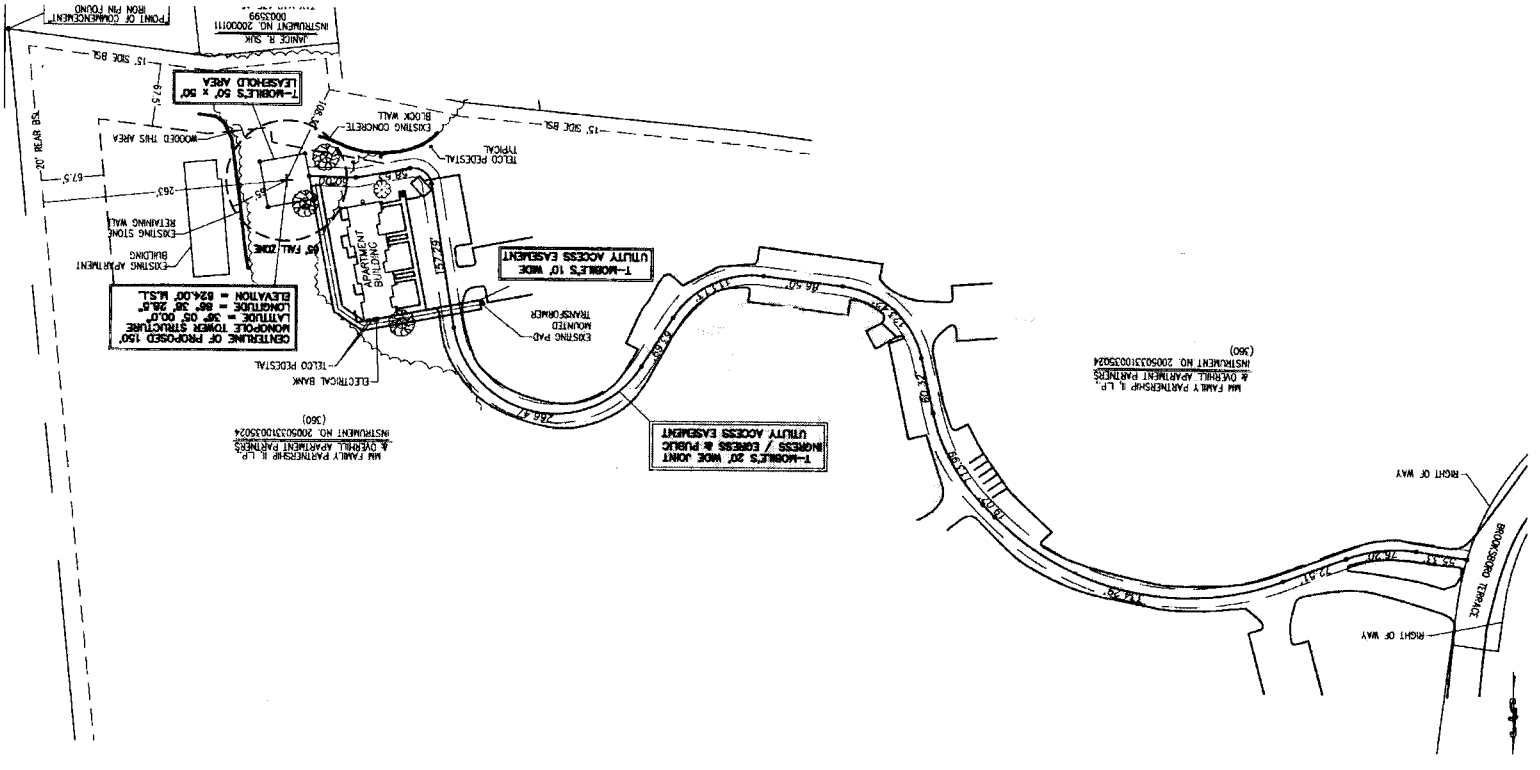
Zoning Ordinance requirements

Section 17.16.080.C of the Metro Zoning Ordinance, below, details the requirements for a cell tower.

C. Telephone Service.

1. Telephone Service. An applicant for a new microwave or cellular tower shall demonstrate that existing towers, buildings or structures within the proposed service area cannot accommodate the equipment planned to be located on the proposed new tower. Factors to be considered in evaluating the practicality of siting the proposed equipment on existing or approved towers shall include, but are not necessarily limited to, structural capacity, radio interference and geographic service area requirements.

2. Lot Size. In residential zone districts, the minimum lot size shall comply with the zone district bulk provisions.





## Metro Planning Commission Meeting of 7/24/2008

3. Setback. Telephone services, including accessory buildings and vehicle parking areas shall comply with the setback provisions of the applicable zone district. In nonresidential zone districts, no tower shall locate within twenty feet of a residential zone district or district permitting residential use.

4. Landscape Buffer Yard. Along all residential zone districts and districts permitting residential use, screening in the form of Landscape Buffer Yard Standard A shall be applied.

5. Height. The maximum height of telephone facilities shall be determined by the height control provisions of Chapter 17.12, except in the MUN, ON, CN and SCN zone districts a height control plane slope of 1.5:1 shall apply. Where a proposed tower cannot comply with the maximum height provisions, the applicant shall be required to submit for a special exception permit per Section 17.16.180(B)(1).

6. Notification. Prior to the issuance of a zoning permit, and immediately after receiving an application for a new tower, the zoning administrator or, if applicable, the executive director of the planning department shall notify the district councilmember that an application for a new tower has been submitted. Such notification shall only be required when a tower is proposed within a residential district, a district permitting residential uses (excluding the MUI, ORI, CF, CC and SCR districts), or within one thousand feet of the zoning boundary line of a residential district or a district permitting residential uses. Within thirty days from the date on which the tower application was filed, the district councilmember may hold a community meeting on the proposed tower. If a meeting is held, the applicant shall attend and provide information about the tower's safety, technical necessity, visual aspects, and alternative tower sites and designs considered.

The request complies with all of the criteria above. First, the applicant has submitted the required report demonstrating the need for the cellular tower. Second, the plan complies with minimum lot size and setback. Third, the tower is within the height control plane and the plan includes standard A buffer yards. Finally, the Councilmember was notified by the Planning Commission.



## Metro Planning Commission Meeting of 7/24/2008

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### **PUBLIC WORKS**

#### **RECOMMENDATION**

No Exception Taken

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### **STORMWATER**

#### **RECOMMENDATION**

No comment

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### **STAFF RECOMMENDATION**

Because this request meets the requirements of the Metro Zoning Ordinance and the application demonstrates that the tower will be structurally sound, staff recommends approval with conditions.

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### **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 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

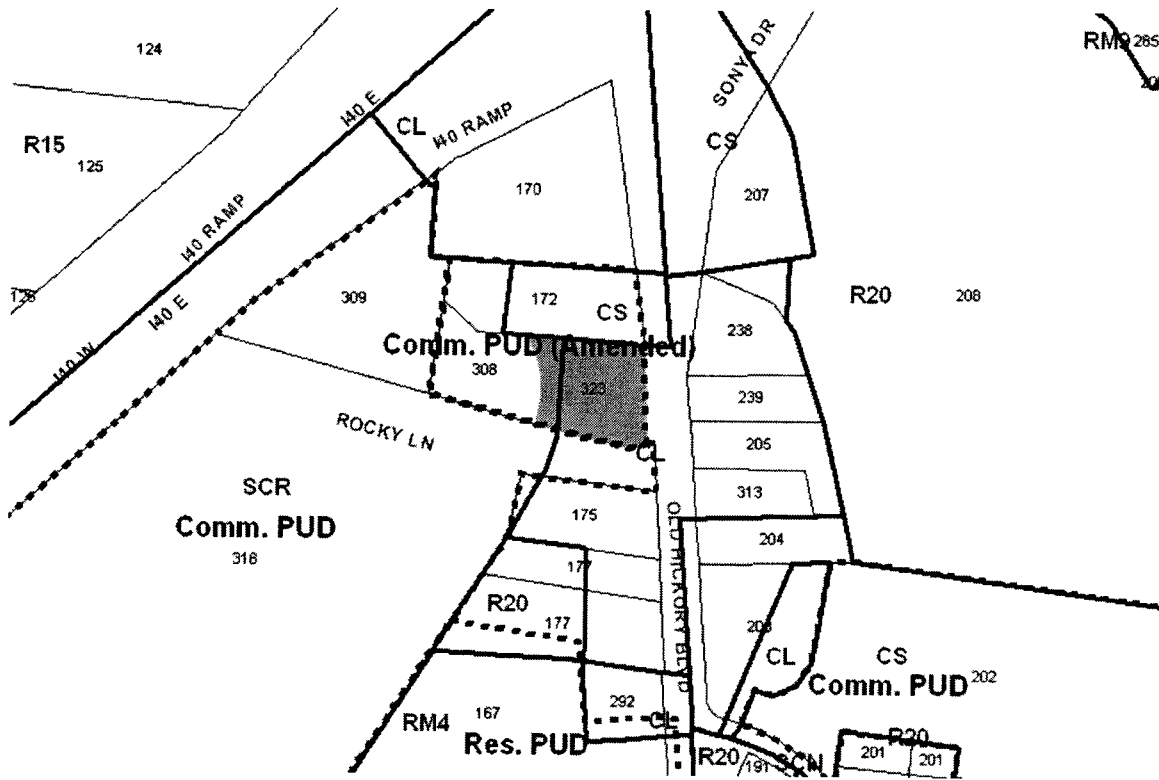


## **Metro Planning Commission Meeting of 7/24/2008**

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.





**88P-040G-06**

Sam's Club Commercial Pud (Sonic Drive-In)

Map: 114-00 Parcel: 323

Subarea 6

Council District 22 – Eric Crafton



**Project No.**  
Project Name

**Planned Unit Development 88P-040G-06**  
**Sam's Club Commercial PUD (Sonic Drive-In)**

**Council District**  
**School Board District**  
**Requested By**

22 - Crafton  
9 - Warden  
National Restaurant Designers, applicant, for Cooper, McAfee, Proctor, Watson, Bellevue Realty, owner

**Staff Reviewer**  
**Staff Recommendation**

Sexton  
*Approve with conditions*

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**APPLICANT REQUEST**  
**Revise Preliminary and PUD Final Site Plan**

**A request to revise the preliminary plan and for final approval for a portion of the Sam's Club Commercial Planned Unit Development located at 617 Old Hickory Boulevard, approximately 915 feet south of I-40, (1.09 acres), to permit a drive-thru window to be added to an existing 1,337 square foot restaurant for a total of 1,393 square feet, zoned Commercial Limited (CL) and Shopping Center Regional (SCR).**

**Zoning District**  
CL District

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

SCR District

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

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**PLAN DETAILS**

Site Plan

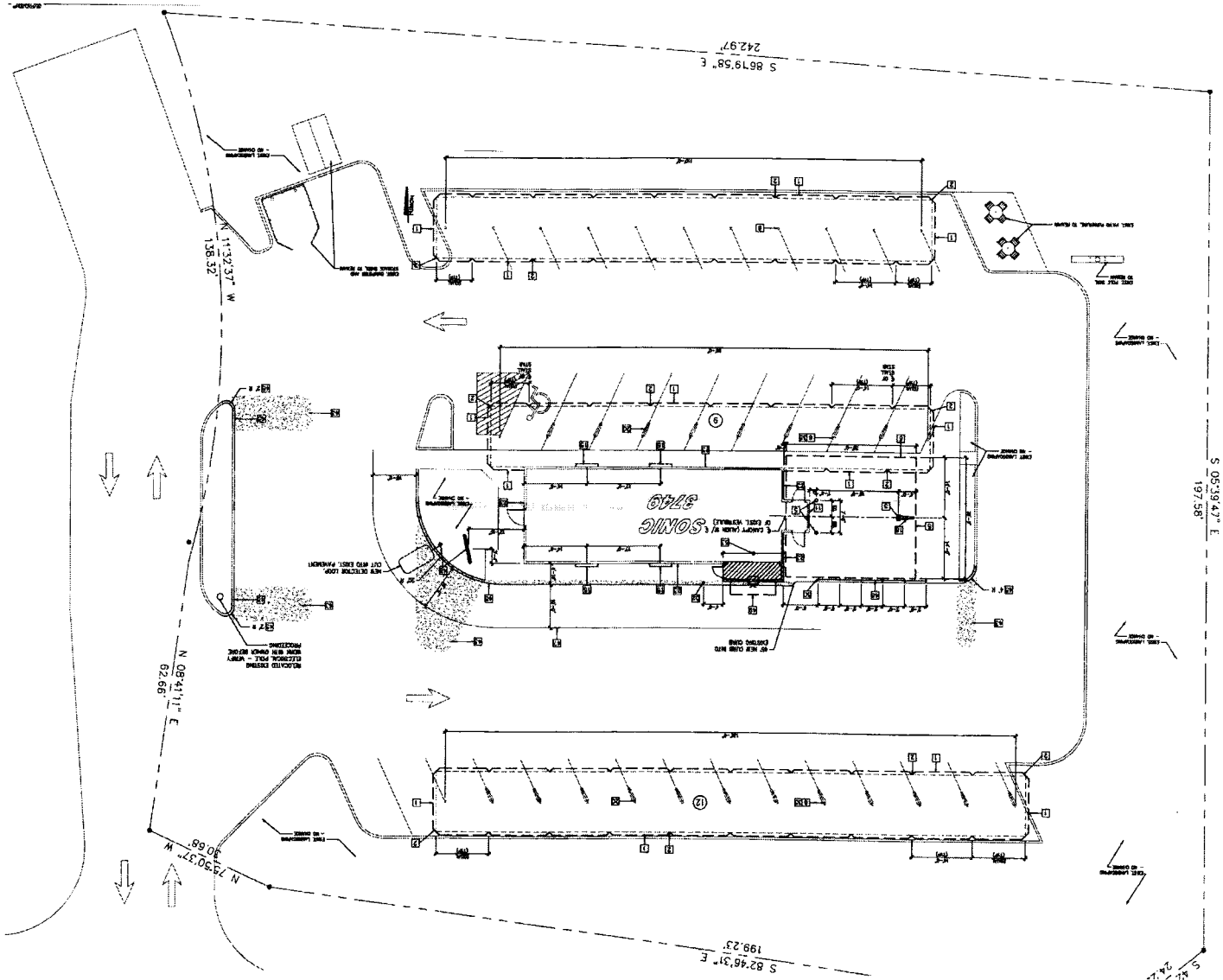
The revised plan proposes a new drive thru window for an existing 1,337 square foot Sonic restaurant. The drive thru will add an additional 56 square feet to the restaurant, bringing the total square footage of the eatery to 1,393 square feet.

Access/Parking

Access is located off of Rocky Land and Old Hickory Boulevard. The revised plan proposes a total of 33 parking spaces which meets the minimum requirement of the Metro Zoning Code.

Preliminary Plan

The preliminary PUD plan was approved to permit a 7,000 square foot retail establishment. Section 17.40.120.G.2.h of the Metro Zoning Ordinance stipulates that the total floor area of a commercial or





## Metro Planning Commission Meeting of 7/24/2008

industrial classification of a PUD shall not be increased more than ten percent beyond the total floor area last approved by the council. The revised plan increases the building square footage by 56 square feet resulting in a 1,393 square foot building. The increased floor area of the revised plan is under ten percent of the total floor area.

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### **PUBLIC WORKS RECOMMENDATION**

All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.

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### **STAFF RECOMMENDATION**

Staff recommends approval with conditions of this request.

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### **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 Works for all improvements within public rights of way.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. 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.
5. 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

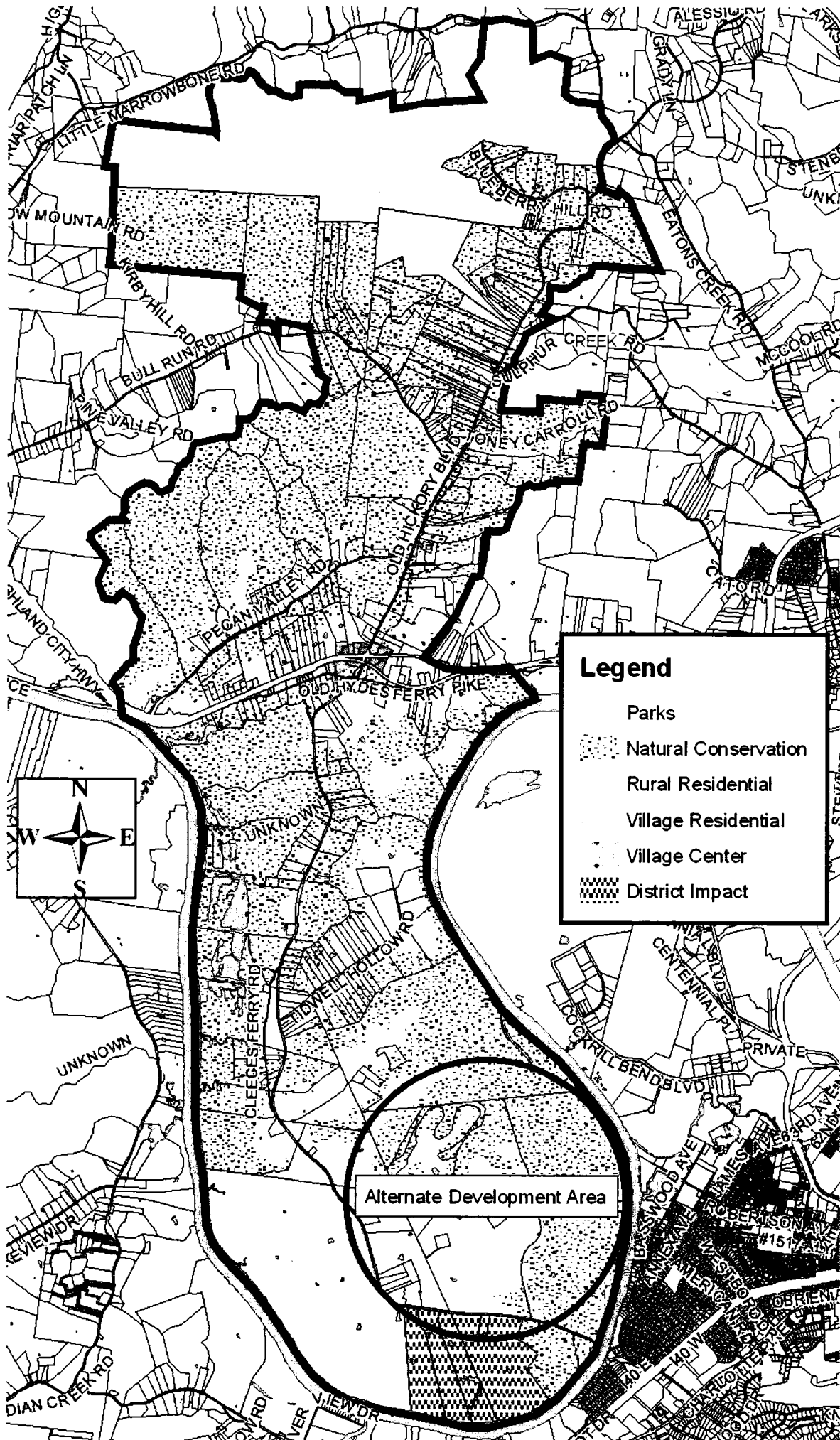


## Metro Planning Commission Meeting of 7/24/2008







deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.

6. 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.

**SEE NEXT PAGE**



**Legend**

-  Parks
-  Natural Conservation
-  Rural Residential
-  Village Residential
-  Village Center
-  District Impact

Alternate Development Area



**Project No.  
Request**

**2008CP-07G-03**  
**Adopt the *Scottsboro/Bells Bend Detailed Design Plan* as an Amendment to the *Bordeaux-Whites Creek Community Plan: 2003 Update***

**Council District  
School Districts  
Requested by**

1 – Matthews  
1 – Thompson  
Planning Staff

**Staff Reviewer  
Staff Recommendation**

McCaig  
*Approve*

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**APPLICANT REQUEST**

**Adopt the *Scottsboro/Bells Bend Detailed Design Plan* as an amendment to the *Bordeaux-Whites Creek Community Plan: 2003 Update* to provide more detailed guidance on planning for preservation and growth for the Scottsboro/Bells Bend community.**

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**SCOTTSBORO/BELLS BEND  
DETAILED DESIGN PLAN  
HIGHLIGHTS**

**Community Participation**

The detailed design plan was initiated at the request of Scottsboro/Bells Bend community members, with the community members' goal of assisting the community in preserving the area's rural character. Staff conducted nine meetings in the Scottsboro/ Bells Bend community from October of 2007 through June of 2008 to create the *Scottsboro/Bells Bend Detailed Design Plan*.

Notification of community meetings as well as the July 24 public hearing were published in newspapers and posted on the Planning Department's website. Four separate flyers announcing the community meetings were sent to property owners throughout the Scottsboro/Bells Bend community and surrounding area. Additionally, email was periodically sent to an expanding list of participants. An estimated 300 individuals participated in the detailed design planning process.

**Vision for Scottsboro/Bells Bend**

Scottsboro/Bells Bend is a rural portion of Davidson County located to the north and west of Downtown. The Scottsboro/Bells Bend area has a variety of stakeholders. Community meetings revealed that a significant majority of stakeholders identify the rural character of the Scottsboro/Bells Bend area as a valuable attribute of Davidson County which should be preserved.





## Metro Planning Commission Meeting of 7/24/2008

Basic qualities which define the rural character of the community and which should be preserved include natural resources, natural landscape, abundant wildlife, green space, open space, outdoor recreational opportunities, peace and quiet, privacy, sustainable resource use, low population density, and private property rights.

A stakeholder group, which controls a significant portion of the Scottsboro/Bells Bend area proposed a different vision for their property – the creation of an intense mixed use town center with adjacent corporate campuses.

To suggest, however, that there were only two visions for Scottsboro/Bells Bend, belies the fact that there are many property owners interested in varying degrees of development opportunity for their properties.

Several questions arose from this process. To what extent are the rural features and qualities preserved? What tools are available to preserve rural features and qualities? How can development occur in a manner that preserves the qualities of the rural character? It is the goal of this detailed design plan to balance the preservation of rural character while allowing development opportunities in appropriate areas.

### **The Study Area**

The Scottsboro/Bells Bend study area is comprised of approximately 13,407 acres that includes Beaman Park as the northern boundary and continues south to the Cumberland River, a distance of approximately 9 miles. The study area is characterized by steep slopes, ridgelines, floodplains, streams, wildlife, woodlands and farmland. Scottsboro/Bells Bend has remained rural due to its location in a bend of the Cumberland River that has not been bridged and its combination of floodway/floodplain and steep topography. These factors contribute to the current low population density mixed with agricultural uses.

### **Land Use Policy**

The detailed design plan proposes land use special policies for the Scottsboro/Bells Bend community. These land use policies are tailored to respond to the community's unique environmental features and emphasize preservation of the rural and natural character of the community. Each special policy has its own policy intent, general characteristics, appropriate land uses, main objectives, and design principles and development guidelines.



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The design principles and development guidelines include addressing access, preserving significant environmental features, preserving archeological features/cemeteries, building form, building location, block length, connectivity, appropriate density, development arrangement, landscaping, lighting, and parking.

In addition, special policies have been added to address the identified prime viewsheds. These policies call for minimal impact from development of any kind. The land use policies also emphasize preserving historic sites, archeological sites, and farmland.

In each of the nine special policy categories discussed below, a focus remains on preserving rural character and sensitive environmental features.

### **- Natural Conservation Policy**

The largest land use policy category is Natural Conservation, which is used to preserve the area's environmentally sensitive features such as steep slopes, ridgetops, unstable soils, floodways/floodplains, woodlands, waterways, viewsheds, and wildlife habitat. Natural Conservation policy is proposed for 58 percent of the study area.

Land use options in Natural Conservation policy include:

- Maintain the land in its natural state;
- Small-scale farming if environmental constraints of the land allow; and/or
- One dwelling unit per five acres if environmental constraints of the land allow.

Natural Conservation policy also encourages land owners to use additional tools, such as conservation easements or purchase of development rights, to permanently preserve land.

The proposed density of one dwelling unit per five acres in Natural Conservation areas is less density than the land is zoned for today (AR2a zoning, which allows one dwelling unit per two acres). This is done to acknowledge that that existing environmentally sensitive features are ill-suited for higher density, and that it would be difficult to achieve that density today, despite the zoning.

### **- Rural Parks/Open Space Policy**

The study area contains two of Nashville's largest parks, Beaman Park and Bells Bend Park. These comprise almost



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2,500 acres or 19 percent of the study area. Both Beaman Park and Bells Bend Park have nature centers in addition to miles of trails and a focus on sharing the natural and rural aspects of the community with visitors. The parks are placed in Rural Parks and Open Space policy.

The detailed design plan encourages constructing a multi-use path for pedestrians and cyclists along Old Hickory Boulevard to connect the two parks.

Added together, the Rural Parks and Open Space policy and the Natural Conservation policy area – 77 percent of the study area is in one of these two conservation-focused policies.

### - Rural Residential Policy

Rural Residential policy covers almost 15 percent of the study area. This policy is located along the flatter portions of the community where the majority of homes are already located. The goal of Rural Residential policy is to preserve the rural and natural character of the area while allowing limited residential development opportunities that contribute to the rural character.

In rural areas throughout Davidson County, typical land uses include low-impact agricultural and related accessory uses, low density residential, and civic/public benefit uses. In the study area, Rural Residential policy land use options include:

- Maintain the land in its natural state;
- Small-scale farming;
- Large-scale farming if environmental constraints of the land allow;
- One dwelling unit per five acres;
- One dwelling unit per two acres if environmental constraints of the land allow; and/or
- In some selected areas, well-designed layouts of homes grouped together to preserve surrounding environmental features may be possible by working with the Planning Department on designs that preserve the rural character of the landscape. Any proposal requires a rezoning to Specific Plan zoning.

Areas with the potential for unstable soils are also referenced and require a geotechnical report before any development is undertaken.



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The majority of the study area, 98.5 percent, is zoned AR2a which already allows one dwelling unit per 2 acres. The application of the Rural Residential policy, which would also allow one dwelling unit per two acres, acknowledges this zoning. However, Rural Residential policy offers opportunities to move away from that lot and land use pattern and encourages larger lots, agricultural uses, and siting homes so that significant environmental features are preserved. The Rural Residential policy also allows one dwelling unit per five acres. If property owners and/or the Council member wanted to rezone to a lower density that is more rural in character, this policy would support that rezoning.

### - Village Center Policy

Village Center policy encompasses land in the previously adopted Neighborhood Center policy (in the *Bordeaux-Whites Creek Community Plan: 2003 Update*) and additional surrounding property that is currently zoned commercial. This area totals 27 acres, less than 1 percent of the study area, and includes the former Wade School. The goal of Village Center policy is to create a pedestrian-friendly, mixed use, rural center that serves as the community hub for daily gathering and activity.

In the Village Center, stakeholders have expressed a desire to see uses similar to those found in Leipers Fork, such as a small grocery, restaurant, music venue, hardware store, café, farmers market, or coffee shop. Appropriate land uses include:

- Commercial
- Civic or Public Benefit
- Office
- Mixed Use

Village Center policy also encourages the use of pedestrian crosswalks, signage and medians to make the area more safe and comfortable for pedestrians, especially at the prominent intersection of Old Hickory Boulevard and Ashland City Highway.

### - Village Residential Policy

Village Residential policy is comprised of existing residential uses along Old Hydes Ferry Road, much of it already zoned RS20. A total of 54 acres is placed in this policy, less than 1 percent of the study area. The goal of Village Residential policy is to create a residential area that complements and supports the Village Center while also providing housing choice for community residents.



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Since this area already has a pattern of smaller lots, the Village Residential policy allows for a mixture of rural housing styles that supports the nearby businesses in the Village Center. Appropriate land uses include:

- Residential (limited to single-family and two-family houses, accessory units and cottages)
- Civic or Public Benefit

### - District Impact Policy

District Impact policy applies to the Harpeth Valley Utility District in the southern portion of Bells Bend, which comprises 3 percent of the study area.

### - Guidance for Rural Corridors

The plan also calls for preserving existing rural corridors and, when appropriate, creating new rural roads that maintain the rural character that currently exists in the study area. Structures along the corridor, such as along Old Hickory Boulevard, should contribute to the rural character with irregular setbacks from the road that follow the environmental constraints of the land, instead of using established setbacks. Spacing and orientation of homes should also follow the environmental constraints of the land, including preserving open space and viewsheds. Corridors should utilize cross sections with swales, instead of curb and gutter, and reflective striping and signage for safety, instead of lighting.

### - Alternate Development Area Policy

As noted above, an alternate vision was offered for one portion of the Scottsboro/Bells Bend community. An Alternate Development Area policy is applied to this area, which is comprised of approximately 1,500 acres or 11 percent of the study area.

Two alternate visions – representing two worthy public policy goals – have been proposed for the Alternate Development Area, comprised of property owned by the May family.

One vision calls for this area to be preserved in a natural or rural state with the rest of the study area. This could be accomplished by including this land in the Natural Conservation and Rural Residential policy categories.

An alternate vision for this area proposes that the site be redeveloped as a compact mixed use pedestrian friendly town center surrounded by a zone of preserved rural transition uses. The center would provide for a joint corporate headquarters location and regional center with retail, office, commercial and residential components,



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while preserving environmental features and important community characteristics such as prime farmland, ridgetops, steep slopes, viewsheds, woodlands, streams and wetlands. This vision concentrates development onto approximately one-third of the property while permanently preserving at least 900 acres in a natural/rural state, including a defined edge to delineate and buffer the center from the surrounding rural area and Old Hickory Boulevard.

To ensure the alternative vision supports the remainder of the policies of the study area, there are additional goals and conditions necessary for the ADA.

First, there are goals and conditions that must be met for the Alternate Development Area to be *eligible* for Regional Center and Corporate Campus policies (that would replace the Natural Conservation and Rural Residential policies). These are titled "Conditions that Trigger the Special Policy."

Second, there are general goals and conditions that describe how the Alternate Development Area (if it is eligible for Regional Center and Corporate Campuses development) is to interact with the rest of the Scottsboro/Bells Bend community. These are titled "Conditions for Balancing Economic Development and Rural Preservation."

Finally, there are the goals specific to the Regional Center policy and the Corporate Campus policy.

### **Conditions that Trigger the Special Policy**

The provisions and conditions of the Alternate Development Area balance allowing specifically designed economic development while preserving the rural character. These conditions include building a bridge as primary access to the site and submitting a master plan for the site that illustrates:

- Designing a unique development concept in a manner so that site and building design meet high standards of sustainability;
- Providing true transportation options for pedestrians, cyclists, vehicles, and transit;
- No extension of commercial, office or higher intensity residential development to the north of the southernmost defined ridgeline;
- Tying development of the Alternate Development Area to preservation to the north of the area to permanently



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preserve the natural/rural character of the remainder of Scottsboro/Bells Bend;

- Including significant protection of environmentally sensitive features and a defined buffer to create a firm edge around the proposed development (at least 900 acres will be permanently preserved);
- Completing an archeological survey for the entire site, except for those portions left undisturbed, and preserving significant sites, cemeteries, and other features;
- Preserving at least 200 acres of prime farmland for farming;
- Buffering development from the existing Bells Bend Park and Nature Center; and
- Applying for inclusion in the Urban Services District.

Any proposed development in the Alternate Development Area will be implemented through zoning that includes a site plan, such as Specific Plan zoning, to provide assurance that the development will occur as approved.

### **- Conditions for Balancing Economic Development and Rural Preservation**

The purpose of these goals and conditions is to balance economic development and rural preservation. The conditions address development of the Alternate Development Area, but also address how this defined area relates to the remainder of the Scottsboro/Bells Bend community. To address how the Alternate Development Area interacts with the rest of the Scottsboro/Bells Bend community, conditions are levied that include:

- Preserving viewsheds from Old Hickory Blvd.;
- Preserving buffers between the Alternate Development Area and the rest of the Scottsboro/Bells Bend community;
- Limiting development and instituting a land preservation program to assist in maintaining Old Hickory Blvd. as a rural corridor and prevent "strip development" from occurring;
- Requiring access from the south or east via a bridge, with guidance on preserving Old Hickory Blvd. as a rural corridor; and
- Requiring sustainable design of the site layout and buildings, per standards established by the Leadership in Energy and Environmental Design – Neighborhood Development (LEED-ND) program.

### **- Regional Center Policy**

The goal of Regional Center policy is to create an intense, mixed use, multi-modal center area that forms a unique



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sustainable and walkable community. The Regional Center policy provides additional guidance through design principles and development guidelines, including addressing access to and within the site, preserving significant environmental features, block length, building form, connectivity, appropriate density, landscaping, lighting, parking, signage, and transit. These include specifying how buildings interact with each other, with their unique setting, and with the surrounding rural area.

### **- Corporate Campus Policy**

The goal of Corporate Campus policy is to create employment and office centers that are uniquely integrated into the adjacent mixed use center, served by multi-modal transportation systems, and uniquely designed to complement the existing rural setting and preserve environmental features. The Corporate Campus policy provides additional guidance through design principles and development guidelines, including addressing access to and within the site, preserving significant environmental features, building form, connectivity, appropriate density, landscaping, lighting, parking, signage, and transit. These include specifying how the campuses are sited and how they interact with each other and with the Regional Center.

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### **Implementation Tools/Ideas**

The detailed design plan also includes a chapter on implementation tools, ideas and examples to assist the community in achieving its vision of preserving rural character. These tools include conservation easements, transfer/purchase of development rights, cultural heritage tourism, eco-tourism, recreational tourism, agri-tourism, sustainable agriculture, a sustainable agricultural institute, community supported agriculture, organic farming co-ops, conservation subdivisions, including preservation as an important aspect of development, and the Adirondack Park model.

### **Recommendation**

The community planning process involves seeking the input of all community stakeholders. It also requires Planning staff to provide professional recommendations to ensure that each community and neighborhood meets the goals of Nashville/Davidson County's General Plan, the County's commitment to sustainable development. In doing so, the preservation and development of each community and neighborhood is considered in light of its role in Davidson County and in the Middle Tennessee region.





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In the case of the *Scottsboro/Bells Bend Detailed Design Plan*, two important public policy goals – rural preservation and economic development through the creation of sustainable development and corporate campuses – must be weighed.

Whenever a community plan or detailed design plan is undertaken, stakeholders are asked to compromise in their visions – to accommodate competing visions and to accommodate the needs of the overall County. The *Scottsboro/Bells Bend Detailed Design Plan* is unique, however, in that the final product represents significant compromise for stakeholders of the area, and includes significant guidance from Planning staff, on how the Scottsboro/Bells Bend community can meet two equally valid public policy goals – rural preservation and economic development of a unique corporate campus/regional center product.

Planning staff recommends adoption of the plan as presented. Correctly implemented, the detailed policy guidance can allow a unique economic development opportunity in Nashville/Davidson County, along with new businesses, jobs, and increased revenues. At the same time, the detailed design plan calls for significant rural preservation throughout the Scottsboro/Bells Bend area, including significant preservation of the Alternate Development Area – at least 900 acres, to be permanently preserved in a natural/rural state that can contribute to the rural character not only in appearance, but can provide certain community amenities such as hiking trails, equestrian trails, greenways, farming opportunities, and local food production. The preservation of this land provides a viable option for preservation. Since over 2,500 acres of the study area are already part of the Metro parks system, it seems unlikely that Metro would acquire this property as parkland due to priorities for parkland in other areas of the County and current financial constraints.

The plan also provides a viable option for development of land that is currently zoned AR2a and could be developed as numerous single-family homes today, which could also negatively impact the rural character of the community. A subdivision of this magnitude also could result in pressure to change the rural character of Old Hickory Boulevard since it would likely not include a provision for building a bridge across the Cumberland River.



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### STAFF RECOMMENDATION

Staff recommends adoption of the *Scottsboro/Bells Bend Detailed Design Plan*, as presented, as a model to balance rural preservation with economic development.