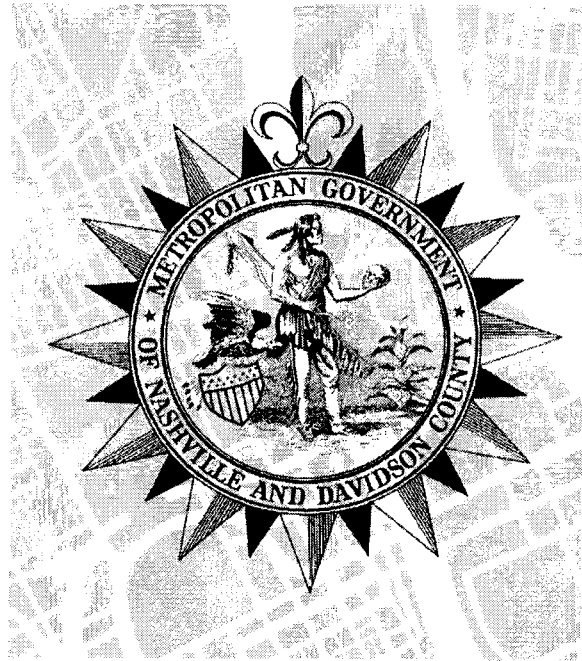


Metropolitan Planning Commission

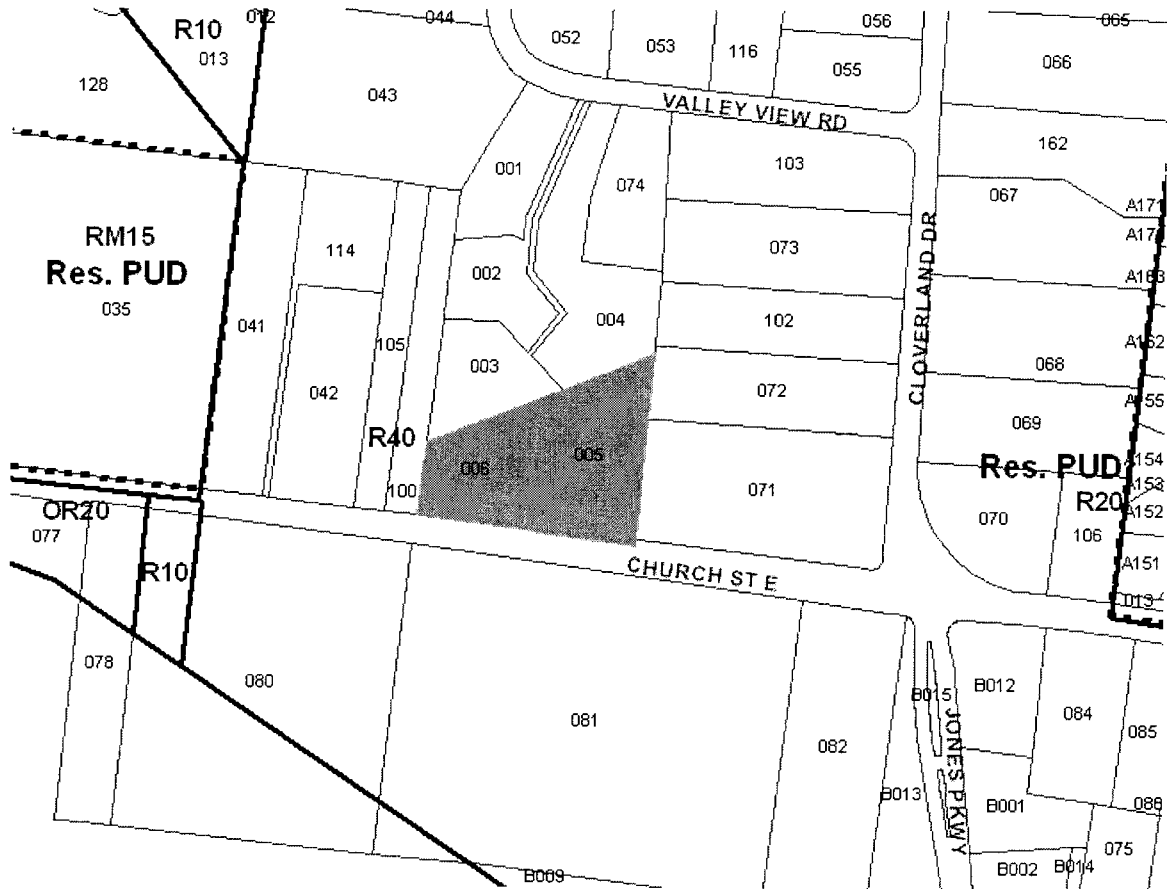


Staff Reports

March 12, 2009

Mission Statement: The Planning Commission guides growth and development as Nashville and Davidson County evolve into a more socially, economically and environmentally sustainable community, with a commitment to preservation of important assets, efficient use of public infrastructure, distinctive and diverse neighborhood character, free and open civic life, and choices in housing and transportation.

PREVIOUSLY DEFERRED ITEMS



2009SP-002-001
 Primrose School
 Map: 171-02 Parcels: 005, 006
 Southeast Community Plan
 Council District 31 -- Parker Toler



Project No.	Zone Change 2009SP-002-001
Project Name	Primrose School SP
Council Districts	31 - Toler
School Districts	2 - Brannon
Requested by	Stantec Consulting Services Inc., applicant, for Chi Wai Lee, owner
Deferral	<i>Deferred from the February 12, 2009, Planning Commission meeting</i>
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Preliminary SP

A request to change from One and Two- Family Residential (R40) to Specific Plan-Institutional (SP-INS) zoning for properties located at 524 and 532 Church Street East, approximately 600 feet east of Cloverland Drive (2.89 acres), to permit a Class IV Daycare Center for up to 196 children.

Deferral

This item was deferred in order for the applicant to provide the Planning Commission with additional information on a number of matters raised at the Public Hearing. First, there were traffic and circulation issues including the impact of peak hour trips on Church Street, left turns to and from the property, and the internal circulation within property. Second, the Planning Commission asked if the maximum number of children served by the facility could be reduced. Third, the suitability of this location for a daycare center, particularly one of this size, was raised. At the time the staff report was prepared, the applicant had not completed the response to the issues raised and anticipates providing this information prior to the meeting.

The Planning Commission also questioned the number of trips projected for a daycare center shown in the traffic table. When determining trips, dropping-off a child is considered two trips--one into the facility and one out of the facility. Picking up the child is also counted as two trips. In addition, the trips of the staff members are included in the count. These numbers are derived from the ITE Trip Generation Charts, 8th Edition.

PEREA SUBDIVISION
1ST REVISION OF LOTS 1,2,3, AND 4
PLAT # 20001160113632, R.O.D.C., TN

ZONING: R40

20' SEWER EASEMENT BY PLAT
(EXISTING SEWER NOT IN CENTER OF EASEMENT)

N 68°54'28" E 510.68'
(N 69°01'09" E 511.09' BY PLAT)

MAP 171
UNDERPOOL, ROSALIND D.
BK 4639 PG 999
ZONING: R40

SP PLAN BOUNDARY

60' STORMWATER BUFFER BY PLAT

STORMWATER
BIORETENTION AREA

N 07°47'17" E 145.90'
(N 07°53'06" E 146.32' BY PLAT)

LOT SIZE - 122,267.00 SF
(2.81 ACRES)

PLAYGROUND

10,900 SF BUILDING
FFE=715.00

PLAYGROUND

PARKING LOT LANDSCAPE BUFFER
IF EXISTING PUBLIC UTILITY AND SEWERAGE EXIST

N 82°24'08" W 474.72'
(N 82°22'57" W 473.14' BY PLAT)

CHURCH STREET EAST
[U2]

ZONING: R40

SP PLAN BOUNDARY

24" RCP



Metro Planning Commission Meeting of 3/12/2009

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 a Class IV Daycare Center.

SOUTHEAST COMMUNITY PLAN

Residential Low (RL)

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

Consistent with Policy?

Yes. A Class IV daycare center is an appropriate use for the RL policy, as civic and public benefit uses are permitted in this policy.

PLAN DETAILS

The proposed SP use is limited to a Class IV daycare center for up to 196 individuals. The Zoning Code defines a Class IV daycare center as the provision of care, for less than 24 hours per day, for more than 75 individuals. The applicant has indicated that the daycare center will serve children from infant to kindergarten age. The current R40 zoning district does not permit daycare centers over 75 individuals and the applicant has requested the SP-INS zoning to permit a larger daycare.

The property, consisting of two lots, is 2.89 acres in size. These lots are proposed to be consolidated and required right-of-way and utility easements will be platted along Church Street East.

A ten-foot landscape buffer yard is proposed along the west, north and east sides of the property. Details have been provided on the plantings to be incorporated into the buffer. Backflow preventer devices are required for fire service, water service and landscape irrigation. These are located within the setback from Church Street East. Details of landscaping to screen these devices have not



Metro Planning Commission Meeting of 3/12/2009

been provided. These details will need to be included on the corrected copies of the plan. Two outdoor play areas are included in the plan.

The original application included four housing units. These have been removed from the plan. All references to the housing must be removed from the corrected copies of the plans.

Sidewalks are required along Church Street East and are shown on the plan.

Parking and Access

One access drive is proposed from Church Street East into the site. The usual requirement is to provide two access points in order to facilitate drop-off and pick-up of the children. The policy of the Primrose School is to require that all children be checked into and out of the office, which means that all parents/guardians must park and walk their child into the building. The applicant has provided traffic study and a parking needs assessment to the Public Works Department for their review.

Public Works has determined that the vehicular circulation for the school appears to be inadequate and that the applicant will need to better demonstrate that internal traffic flow at drop-off/pick-up area provides the same level of flow as two access points or additional on-site parking will be necessary. In addition, Public Works has identified a need for a right turn lane on Church Street East right-of-way improvements.

Building Standards

Elevations, building materials, and bulk standards for the school were provided with the plan. For any development standard not included in the plan, the standards of the RM2 zoning district will apply.

Signs

The signage permitted for this SP includes a freestanding ground sign and a building sign.

A freestanding ground sign is supported by structures or supports that are anchored in the ground and that are independent of any building or other structure and are a maximum six feet in height and 28 square feet in size. Building signs are attached directly to, or supported by brackets attached directly to a principal building. The building sign for this SP is a maximum of 9.6 square feet in size.



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The signs are to be externally lit or lit from a ground lighting source with steady, stationary, down directed, and completely shielded light sources or may be internally illuminated or back-lit with a diffused or shielded light source. The sign backgrounds must be opaque; only letters and logos may be internally illuminated.

The signs must be constructed using high-quality durable materials such as metal, stone, brick, and hardwood, and shall complement materials and features of buildings on the same property. Pole signs and electronic message signs are prohibited.

STORMWATER RECOMMENDATIONS

Preliminary SP approval.

FIRE MARSHAL RECOMMENDATION

This project approved as a sprinklered project.

Show fire hydrant(s) flow data or the proposed fire hydrant(s) flow data on plans or the fire hydrant with the highest elevation and the most remote in the development,

Fire Hydrants shall be in-service before any combustible material is brought on site.

A fire hydrant shall be provided within 100' of the fire department connection.

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

Additional information will be required before a building permit can be issued, adequate information not provided to allow unconditional approval of this project at this time.

WATER SERVICES RECOMMENDATION

Approval

PUBLIC WORKS RECOMMENDATION

Vehicular circulation for the proposed school appears to be inadequate. Demonstrate internal traffic flow at drop-off/pick-up area that complies with section 17.16.035 of the Metro Code, or provide additional on-site parking.

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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Along Church Street E., construct a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways.

The solid waste collection and disposal plan is to be reviewed and approved by the Department of Public Works Solid Waste Division.

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

1. Construct a westbound right turn lane on Church St. at the proposed project access with 75 ft of storage and transitions per AASHTO standards.
2. Construct the proposed project access at Church St. with one entering and two exiting lanes (LT and RT) each with a minimum 50 ft of storage.
3. Provide adequate intersection and stopping sight distance at the proposed project access per AASHTO standards.

Typical/Maximum Uses in Existing Zoning District: R40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	2.89	1.16	2	20	2	3

Typical/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
Day Care (565)	2.89	N/A	10,900 (196 children)	886	149	136

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

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	2.89		+2	+866	+147	+133

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed Primrose School SP is consistent with the RL policy of the Southeast Community Plan.

CONDITIONS

1. Prior to the issuance of building permits, the two lots shall be consolidated by plat.



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2. Details of the landscaped screening of the back flow preventer devices shall be provided on the corrected copy of the preliminary SP.
3. Signage is limited to one ground sign that is a maximum of 28 square feet in size and six feet in height shall be permitted for the property and one building mounted sign that is 9.6 square feet in size. Pole signs and electronic message signs are prohibited.
4. The requirements of the Public Works Department shall be addressed on the final site plan.
5. Prior to final site plan approval, the applicant shall demonstrate, to Public Works, that internal traffic flow at drop-off/pick-up area complies with section 17.16.035 of the Metro Code, or additional on-site parking shall be provided.
6. 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.
7. Prior to the issuance of building permits, the solid waste collection and disposal plan shall be reviewed and approved by the Department of Public Works Solid Waste Division.
8. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the RM2 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, including the removal of all references to the housing component of the original plan, 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

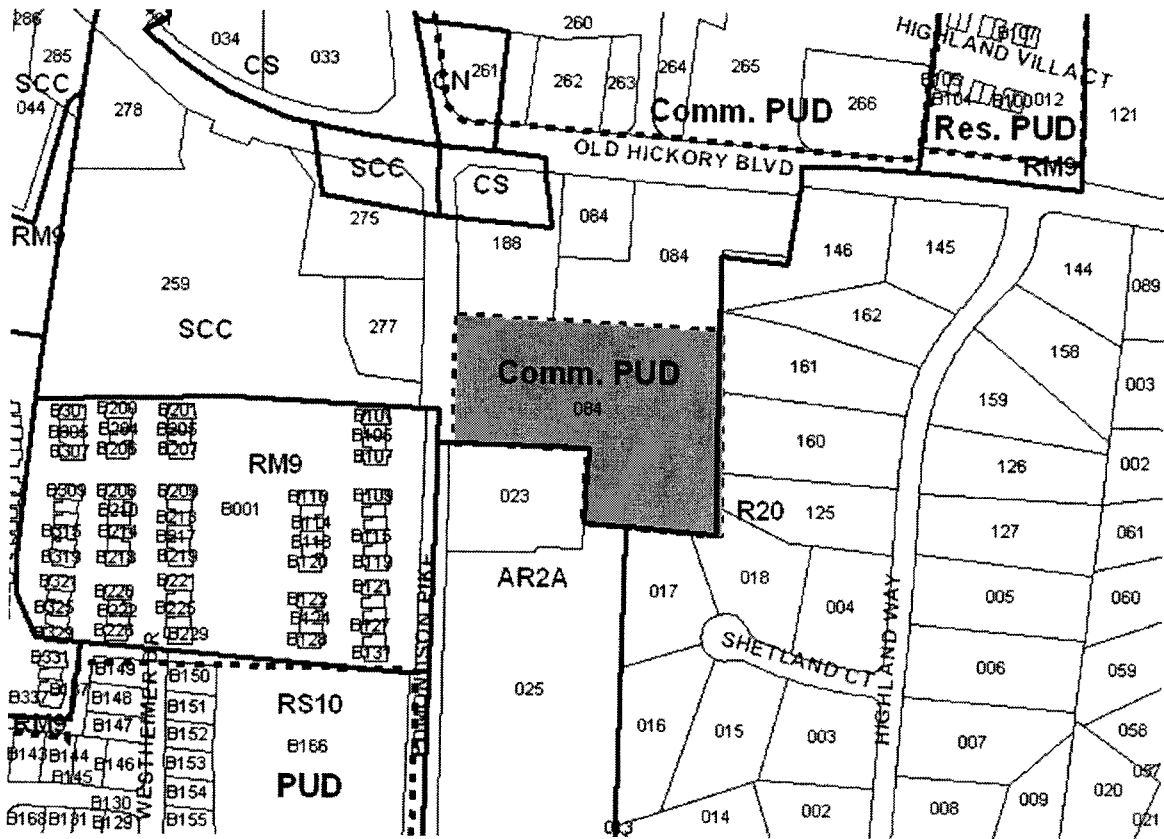


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corrected copy of the SP plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

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



88-69P-001
 Williams Home Place PUD (Cellular Tower Revision)
 Map: 161-00 Parcel: 084
 Southeast Community Plan
 Council District 31 – Parker Toler



Project No. **Planned Unit Development 88-69P-001**
Project Name **Williams Home Place PUD (Verizon Tower Revision)**
Council District 31 - Toler
School Board District 2 – Brannon
Requested By Verizon Wireless Tennessee Partnership, applicant for WM LLC, owner
Deferral *Deferred from the February 26, 2009, Planning Commission meeting at the request of the applicant.*
Staff Reviewer Swaggart
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST
Revise Preliminary Plan and PUD Final Site Plan
A request to revise the preliminary plan and for final approval for the Williams Home Place Planned Unit Development Overlay located at 5714 Edmondson Pike, approximately 380 feet south of Old Hickory Boulevard (4.36 acres), zoned Shopping Center Community (SCC), to permit a 180 foot monopole wireless communication tower.

PLAN DETAILS
 The Williams Home Place PUD was originally approved in 1989, for 45,000 square feet of retail and office space. The plan was last revised in 2000 for 35,410 square feet of retail, office and restaurant uses. Approximately 29,190 sq. ft. of the development has been constructed.

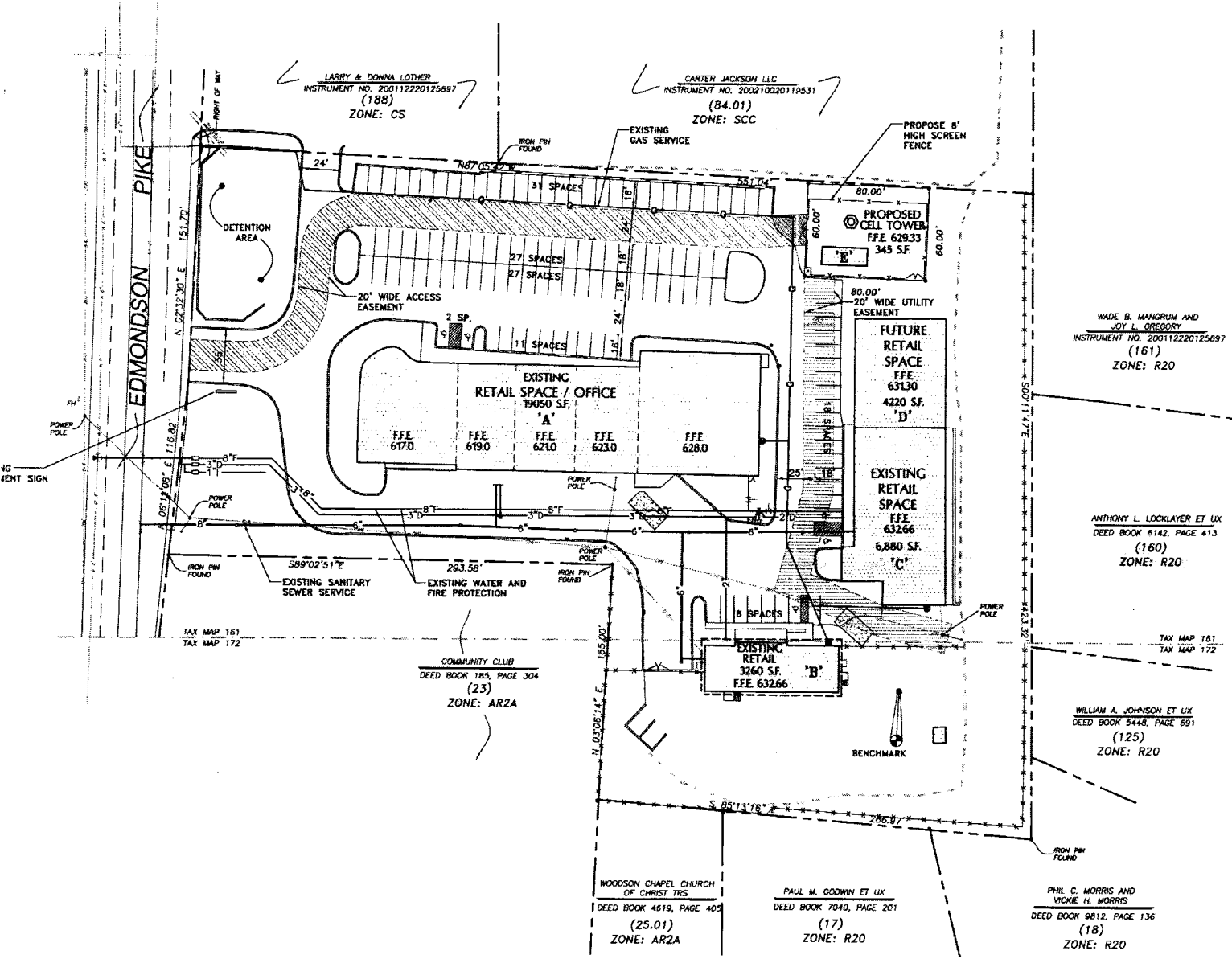
Site Plan
 The proposed tower and facilities are located at the rear corner (north east) of the site. The top height of the tower is 180 feet. The plan meets all zoning requirements, including setbacks, buffer yard requirements and specific requirements for cell towers (see below).

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

TY LINE

(SEE PLAN FOR LOCATION)





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- 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.
 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



Metro Planning Commission Meeting of 3/12/2009

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 Department.

PUBLIC WORKS

RECOMMENDATION

No Exception Taken

STORMWATER

RECOMMENDATION

Approved

STAFF RECOMMENDATION

Because this request meets the requirements of the Metro Zoning Ordinance, staff recommends approval with conditions.

CONDITIONS

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



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water supply for fire protection must be met prior to the issuance of any building permits.

5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

SEE NEXT PAGE

SPECIFIC PLANS



2009SP-004-001
 Horrell Properties SP
 Map: 093-14 Parcel: 499
 Downtown Community Plan
 Council District 19 – Erica S. Gilmore



Project No.	Zone Change 2009SP-004-001
Project Name	Horrell Properties
Council Bill	BL2009-388
Council District	19 - Gilmore
School Board District	7 - Kindall
Requested By	John and Gayle Horrell, applicant/owner
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Preliminary SP and Final Site Plan

A request to change from Core Frame (CF) to Specific Plan-Auto (SP-A) zoning and for final site plan approval for property located at 809 5th Avenue South, approximately 150 feet south of Ash Street (0.69 acres), to permit wrecker service, auto repair and all other uses permitted in the CF zoning district.

Existing Zoning
CF District

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

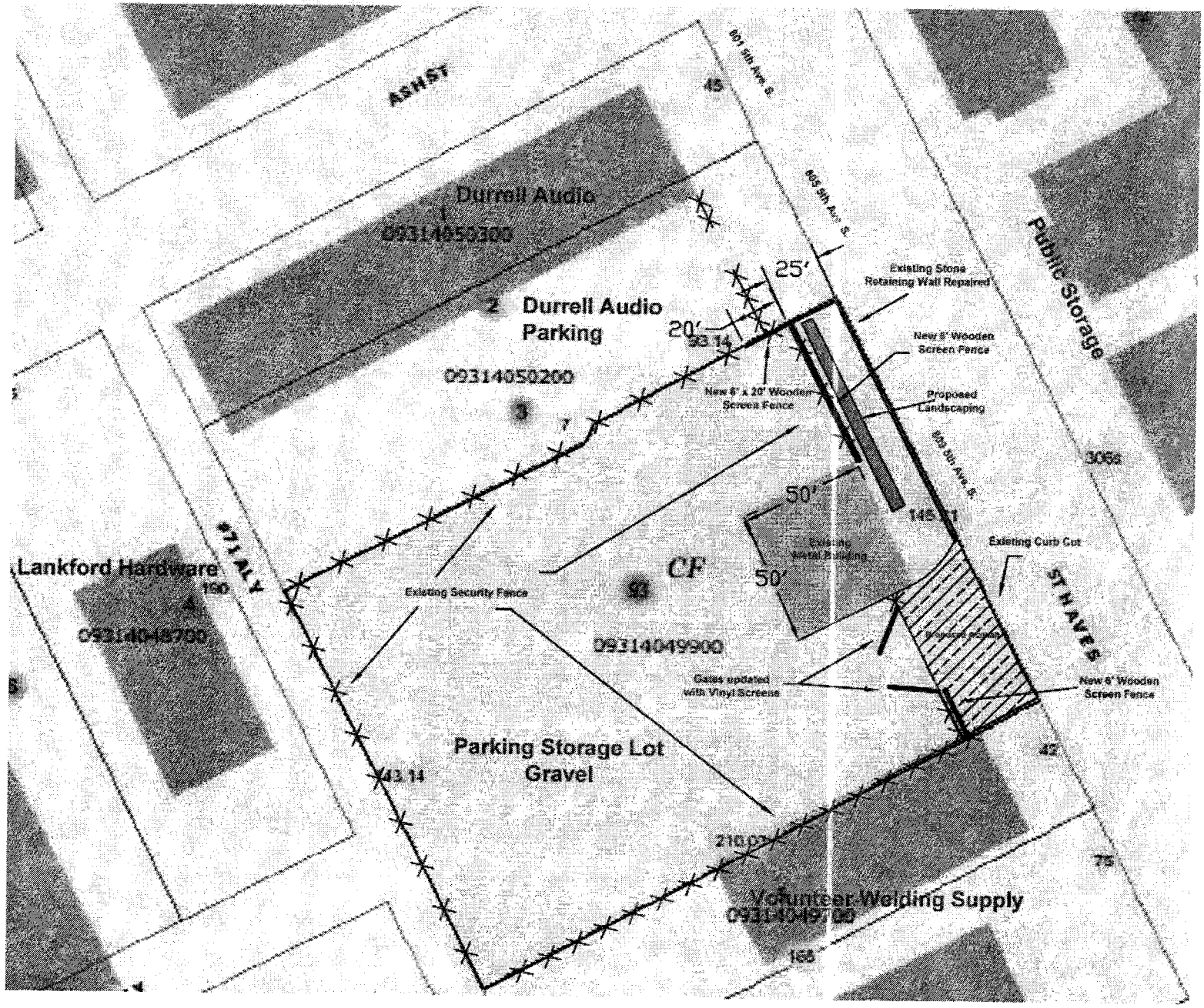
Proposed Zoning
SP-A District

Specific Plan-Automobile 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 wrecker service and automobile repair uses.

DOWNTOWN
COMMUNITY PLAN

Structure Policy
Mixed Use (MxU)

MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. 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.





Metro Planning Commission Meeting of 3/12/2009

Lafayette Detailed Neighborhood Design Plan

Downtown Neighborhood (DN)

Downtown Neighborhood policy applies to those parts of Downtown where intense, mixed use development that includes a significant residential component is desired. The development should be created at a scale less intense than the Downtown Core. Downtown Neighborhood policy is only used in the *Downtown Community Plan: 2007 Update* in many of the seventeen Downtown neighborhoods. Each neighborhood has its own unique character and intended development pattern, which are further defined in each neighborhoods' Building Regulating Plan, found in the *Downtown Community Plan: 2007 Update*.

Consistent with Policy?

Yes. The proposed plan is consistent with the area's policies. While auto-oriented uses may not be conducive to creating a pedestrian-oriented streetscape, the applicant has designed a site plan that will bring the property closer to the goal of creating a pedestrian-oriented streetscape that is consistent with the intent of the policy. The plan proposes to new landscaping adjacent the sidewalk, as well as, the repair of the existing retaining wall adjacent to the sidewalk. The plan also calls for the chain link fence to be replaced with a solid wood fence which will restrict visibility into the back yard. These improvements will improve the appearance along 5th Avenue, and help to create a more pedestrian oriented environment.

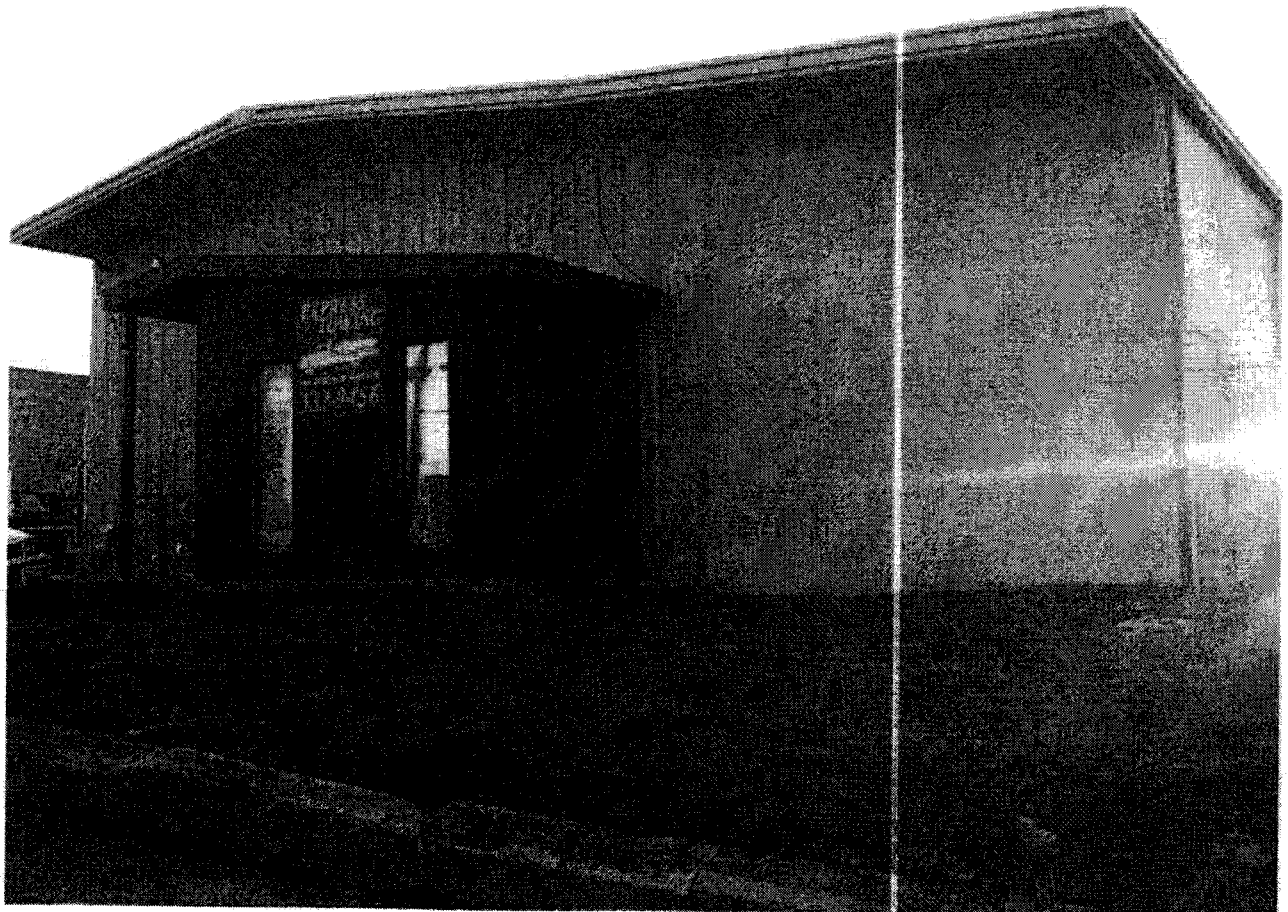
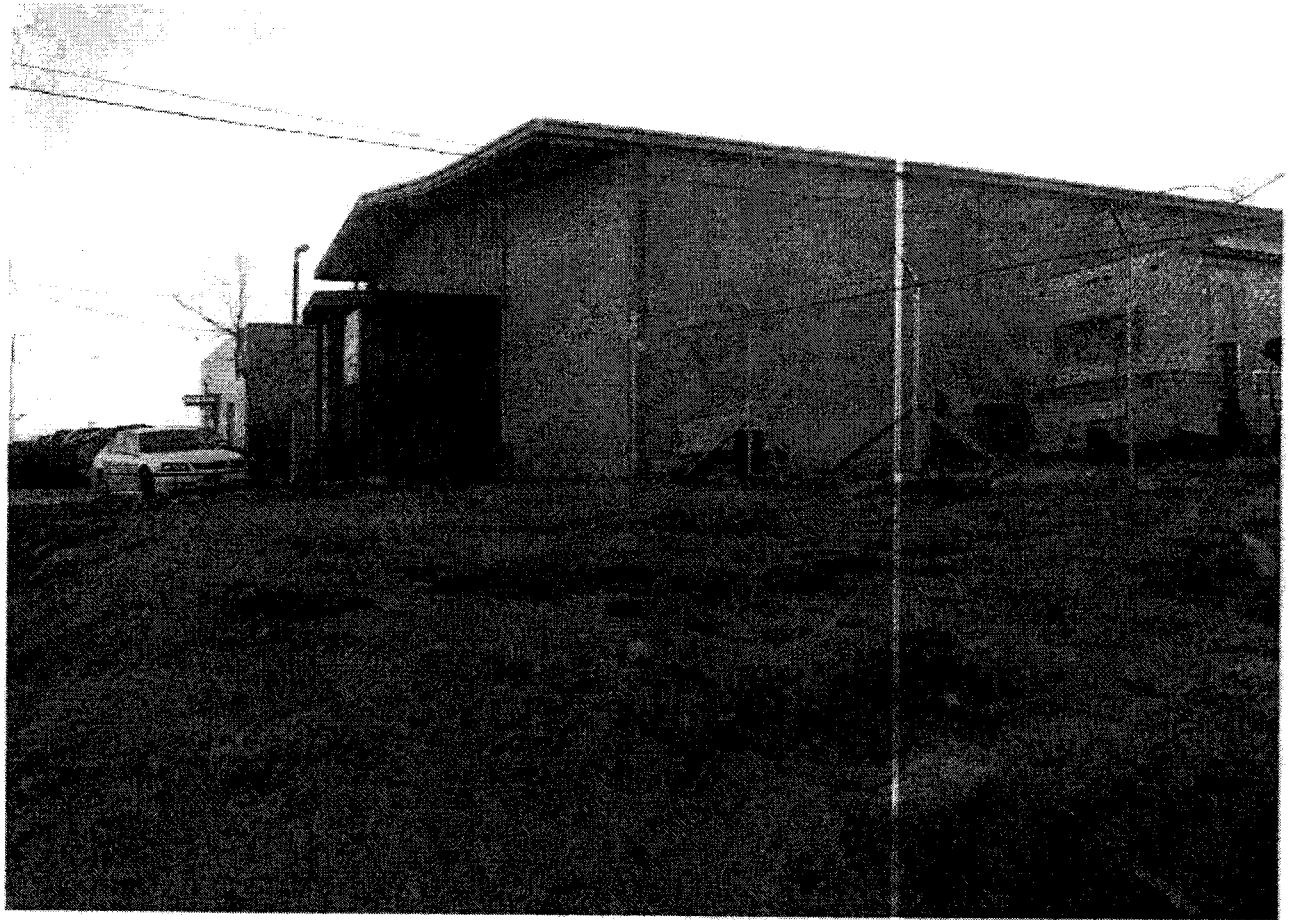
PLAN DETAILS

The site is currently developed and consists of a one story, 2,500 square foot building and large unpaved parking lot. According to the applicant, the wrecker service and auto repair shop has been operating out of this location for over ten years. Even though it has been operating for many years, it was recently discovered that it was never permitted and was operating illegally. As these type of uses now require SP zoning, the applicant is requesting SP approval to allow the use to continue.

The site plan calls for the existing building to remain but calls for several improvements to the property.

Fencing

The front of the site is currently enclosed by a 5 foot chain link fence with barbed wire. The plan proposes a new solid 6' tall wooden fence to replace the chain link fence along 5th Avenue.





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Landscaping

Currently, there is no landscaping along 5th Avenue. The plan calls for new landscaping between the new wooden fence and the sidewalk. It will consist of hollies and a pin oak.

Parking and Access

Currently the drive is constructed of gravel. There is no defined parking area in front of the building and automobiles typically park in the grass between the building and the sidewalk. The plan proposes to replace the gravel drive with asphalt and restrict parking from within the front yard. Parking will be allowed in the side and rear yard only.

Sidewalk

There is an existing sidewalk along 5th. The property slopes up away from 5th and there is a short limestone block retaining wall. The block wall is currently in need of repair. The plan proposes to repair the wall as needed.

Signs

Sign details were not included with this SP submittal. Staff is recommending that only one building mounted sign be permitted. Building signs are attached directly to, or supported by brackets attached directly to a principal building. The building sign must not exceed 40 square feet in size. The sign may not be lit.

STORMWATER RECOMMENDATIONS

No grading permit required.

FIRE MARSHAL RECOMMENDATION

Reviewed: Conditional Approval
Approved based on no construction being done this application. Any new 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.

Typical Uses in Existing Zoning District: CF

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.69	2.578	77,485	1097	153	166



Metro Planning Commission Meeting of 3/12/2009

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Wrecker Service and Automobile Sales (Used) (942)	0.69	n/a	2,500	NA	8	9

Maximum Uses in Existing Zoning District: CF

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.69	5	150,282	1826	260	248

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
Wrecker Service and Automobile Sales (Used) (942)	0.69	n/a	2,500	NA	8	9

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed SP Plan is in keeping with the Downtown Community Plan.

CONDITIONS

1. This SP is limited to wrecker service, automobile repair, and all uses allowed in the CF zoning district.
2. For any future redevelopment of the site, an SP Final Site Plan shall be required. The Final Site Plan shall meet the requirements of the SP district for wrecker services and auto repair uses and for uses permitted under the CF zoning district, the CF standards of the Zoning Code shall apply.
3. Signage shall be limited to one building sign only. Building signs shall not exceed 40 square feet, and shall not be lit.
4. 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 CF zoning district as of the date of the applicable request or application.

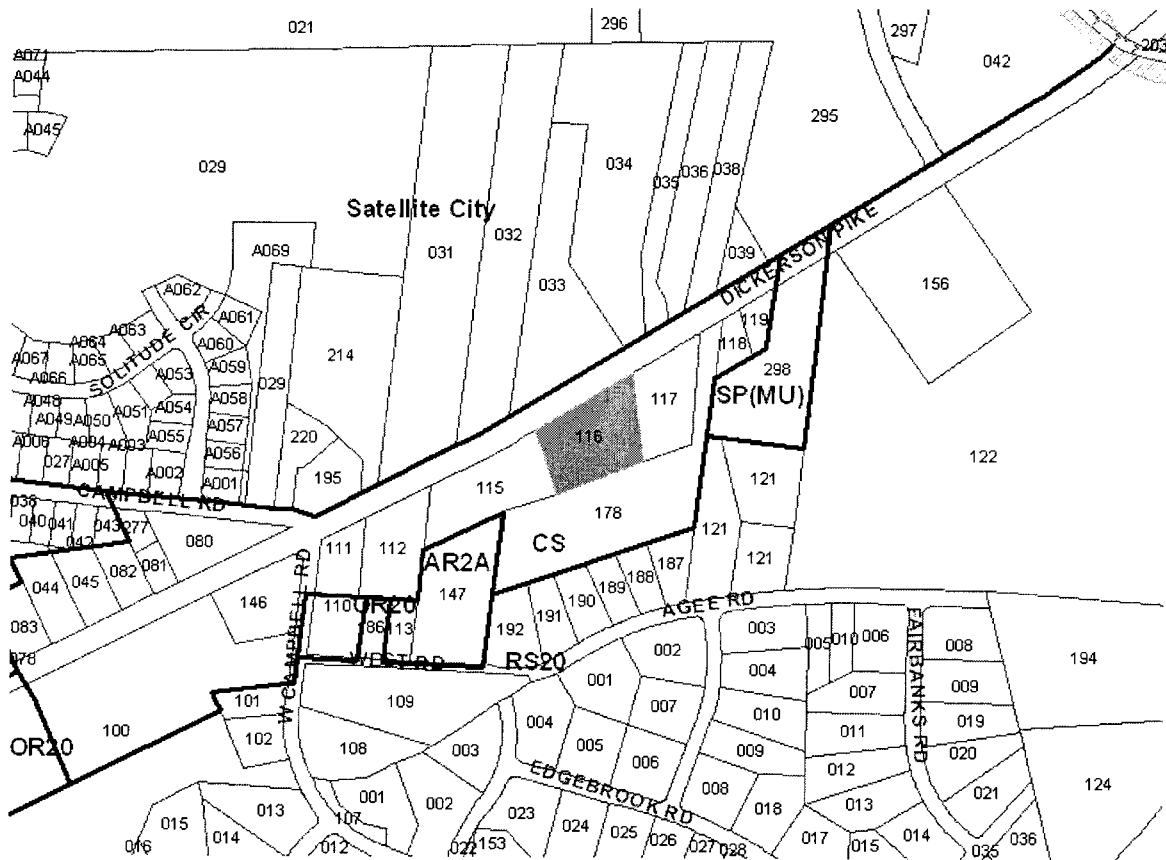


Metro Planning Commission Meeting of 3/12/2009

5. 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.
6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
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.

SEE NEXT PAGE

ZONING MAP AMENDMENTS



2008Z-093G-02

Map: 033-00 Parcel: 116

Parkwood/Union Hill Community Park

Council District 10 – Rip Ryman



Project No.	Zone Change 2008Z-093G-02
Council Bill	BL2008-359
Council District	10 - Ryman
School District	3 - North
Requested by	Timothy and Shelley Tinnin, owners
Staff Reviewer	Sexton
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

A request to rezone from Commercial Service (CS) to Industrial Warehousing/Distribution (IWD) zoning property located at 1216 Dickerson Pike, approximately 830 feet east of W. Campbell Road (1.84 acres).

Existing Zoning
CS District

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

Proposed Zoning
IWD District

Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

PARKWOOD-UNION HILL COMMUNITY PLAN

Mixed Use (MU)

MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy?

No. The proposed IWD zoning district is not consistent with the Mixed Use land use policy. The MU policy encourages the horizontal and vertical integration of uses that are tailored to meet the housing, shopping and employment needs of the community. The MU policy also requires either a zoning district that includes a site plan, such as a Specific Plan (SP), or an overlay district that requires a



Metro Planning Commission Meeting of 3/12/2009

design plan such as an Urban Design Overlay (UDO), Planned Unit Development (PUD). Each district requires a site plan to ensure harmonious and appropriate design. The IWD district does not support this mix of uses. The IWD district permits industrial uses that are not consistent with the MU policy for the area, which encourages community, convenience type uses at a neighborhood scale.

PUBLIC WORKS RECOMMENDATION

An access study may be required at development.

WATER SERVICES RECOMMENDATION

No capacity study is required at this time for this proposed straight-out zone change. If the zone change occurs capacity issues will need to be addressed. The water for this site is provided by the Madison Suburban Utility District

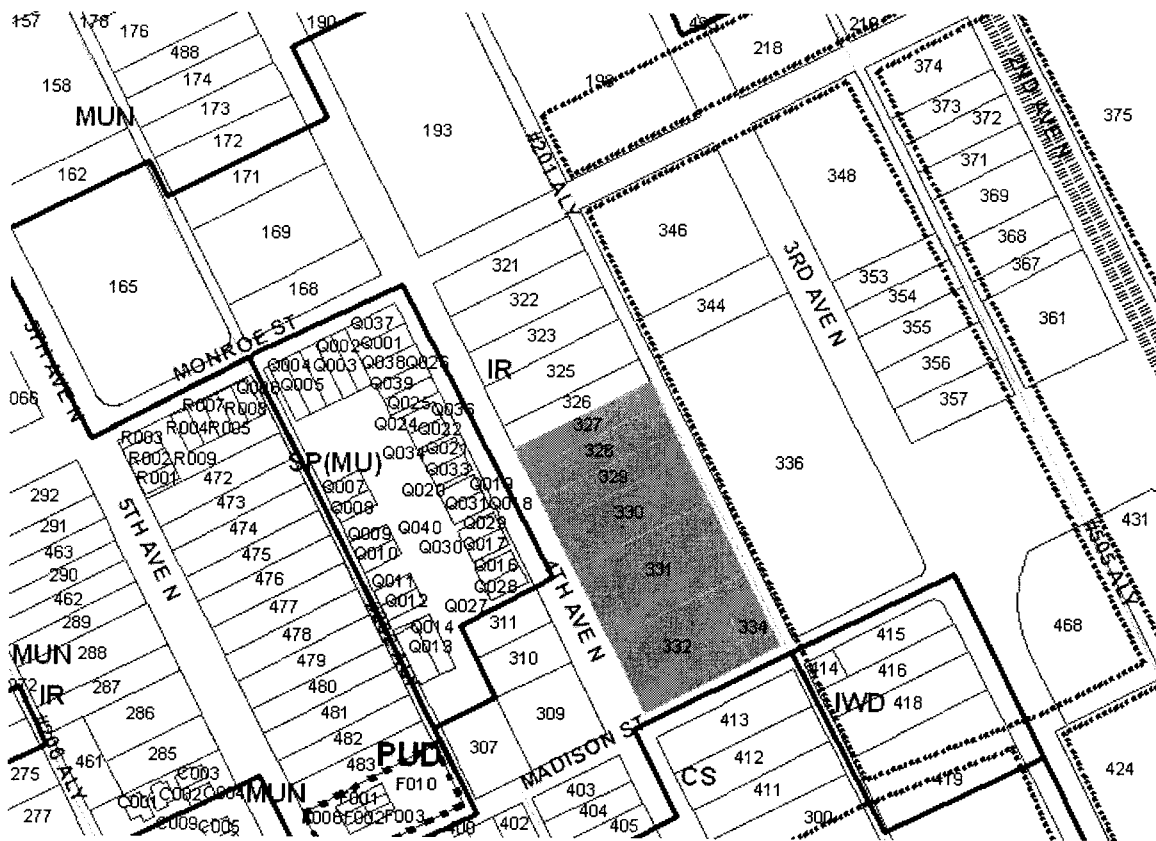
FIRE MARSHAL RECOMMENDATION

No comments at this time.

STAFF RECOMMENDATION

Staff recommends disapproval of the request to rezone 1.84 acres from CS to IWD. The IWD district is not consistent with the Mixed Use land use policy designated by the Parkwood-Union Hill Community Plan and this request was not accompanied by a Planned Unit Development or Urban Design overlay.

SEE NEXT PAGE



2009Z-009PR-001

Map: 082-09 Parcels: 327, 328, 329, 330, 331, 332, 334

North Nashville Community Plan

Council District 19 – Erica S. Gilmore



Project No.	Zone Change 2009Z-009PR-001
Council District	19 - Gilmore
School Board District	1 - Gentry
Requested By	MRK Development, LLC, applicant, for The R & S Allen Family Limited Partnership, owner
Staff Reviewer	Sexton
Staff Recommendation	Approve

APPLICANT REQUEST

A request to change from Industrial Restrictive (IR) to Mixed Used Neighborhood (MUN) zoning properties located within the Phillips-Jackson Street Redevelopment District and Germantown Historic Preservation District at 312 Madison Street, 1200, 1208, 1210, 1214, 1216, and 1218 4th Avenue North, at the northeast corner of 4th Avenue North and Madison Street (1.38 acres).

Existing Zoning
IR District

Industrial Restrictive is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning
MUN District

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

**NORTH NASHVILLE
COMMUNITY PLAN**

Neighborhood 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 with the intent of the policy.

**Germantown Detailed
Neighborhood Design Plan
Mixed Live/Work (MLW)**

MLW is intended for primarily residential uses, while providing opportunities for small commercial establishments, mostly home-run professional or retail services.



Metro Planning Commission Meeting of 3/12/2009

Consistent with Policy?

Yes. The proposed MUN zoning is consistent with the NU policy of the North Nashville community plan. The NU policy encourages a variety of housing, public benefit uses, commercial activities and mixed-use development. As this property is within the Phillips-Jackson Street Redevelopment District and within the Germantown Historic Preservation District, which will require design review, no site plan was required to accompany the rezoning request.

PUBLIC WORKS RECOMMENDATION

Typical Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial (110)	1.38	0.39	23,444	164	22	23

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.38	0.45	27,051	488	66	110

Maximum Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial (110)	1.38	0.8	48,090	336	45	47

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.38	1	60,113	902	125	147

METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 0 Middle 0 High

Schools Over/Under Capacity

Students would attend Eakin Elementary School, West End Middle School, or Hillsboro High School. Hillsboro High School has been identified as being over capacity by the Metro School Board. There is capacity for high school students within an adjacent cluster.



Metro Planning Commission Meeting of 3/12/2009

STAFF RECOMMENDATION

Staff recommends approval. The proposed MUN zoning is consistent with the NU policy of the North Nashville community plan. No site plan was required because this property is within the Phillips-Jackson Street Redevelopment District and within the Germantown Historic Preservation District.



2009Z-010PR-001
 Map: 082-08 Parcel: 137
 East Nashville Community Plan
 Council District 5 – Pam Murray



Project No.
Council District
School Board District
Requested By

Zone Change 2009Z-010PR-001
5 - Murray
5 - Porter
C.R. and Sheridath Blackwood, owners

Staff Reviewer
Staff Recommendation

Sexton
Approve

APPLICANT REQUEST

A request to change from Single-Family Residential District (RS5) to Multi-Family Residential District (RM15) zoning property located within the Greenwood Neighborhood Conservation Overlay at 837 Cleveland Street, approximately 115 feet west of McFerrin Avenue (0.28 acres).

Existing Zoning
RS5 District

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

Proposed Zoning
RM15 District

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

**EAST NASHVILLE
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.

**Maxwell/Parkway Detailed
Neighborhood Design Plan**
Mixed Use (MU)

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.



Metro Planning Commission Meeting of 3/12/2009

Consistent with Policy?

Yes. The proposed RM15 zoning is consistent with the NC policy of the East Nashville Community Plan. The NC policy promotes uses such as multi-family residential dwellings. The property proposed for RM15 zoning contains one existing building with four units. The current RS5 zoning district only permits single-family residences. The applicant has requested RM15 zoning so that the existing four units on the property can be consistent with zoning. While the NC policy requires a site plan, the proposed RM15 zoning will match the current conditions on the site and a site plan will not be required.

PUBLIC WORKS RECOMMENDATION

Maximum Uses in Existing Zoning District: RS5

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.28	7.41	2	20	2	3

Maximum Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	0.28	15	4	34	3	4

METRO SCHOOL BOARD REPORT

Projected student generation

0 Elementary 0 Middle 0 High

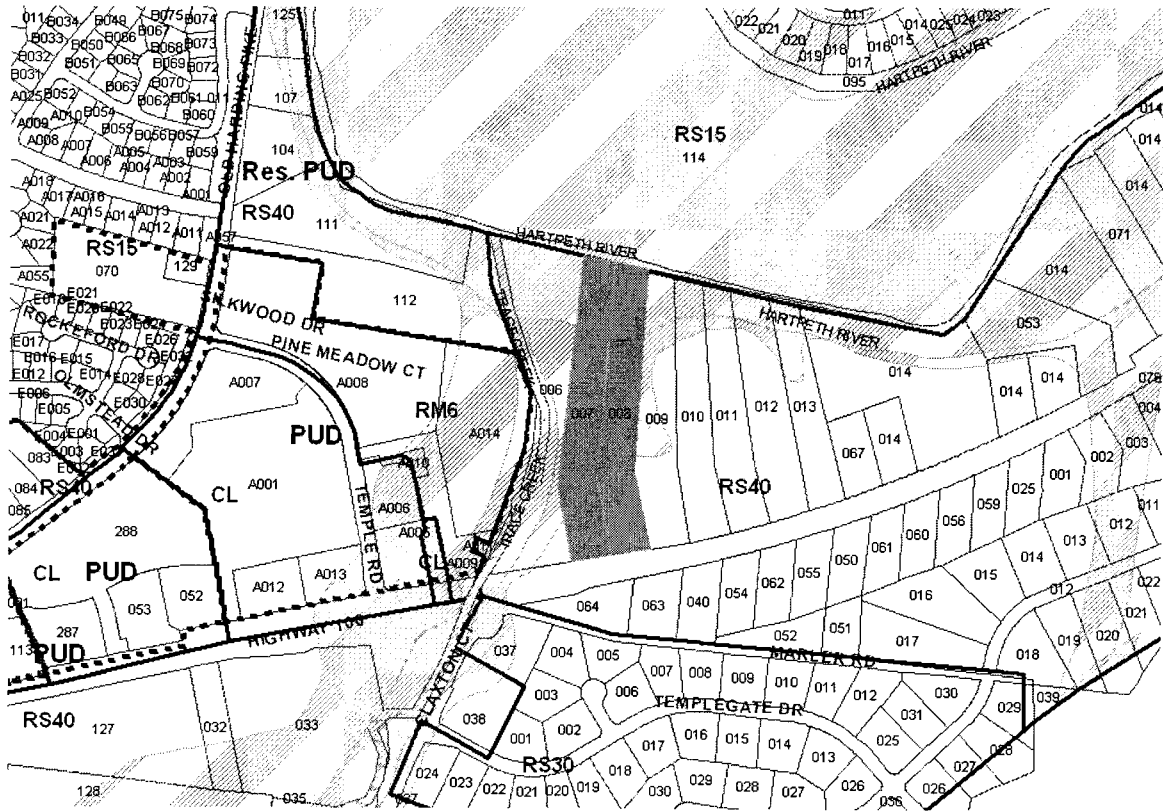
Schools Over/Under Capacity

Students would attend Hattie Cotton Elementary School, Gra-Mar Middle School, or Maplewood High School. Hattie Cotton Elementary School has been identified as being over capacity by the Metro School Board. There is no capacity for elementary school students within this cluster, however, no new students would be generated with this rezoning.

STAFF RECOMMENDATION

Staff recommends approval. The proposed RM15 zoning is consistent with the NC policy of the East Nashville community plan.

SEE NEXT PAGE



2009Z-011PR-001
 Map: 156-00 Parcels: 007, 008
 Bellevue Community Plan
 Council District 35 – Bo Mitchell



Project No.
Council District
School District
Requested by

Zone Change 2009Z-011PR-001
35 – Mitchell
9 – Coverstone
Eric and Beth Lewis, owners

Staff Reviewer
Staff Recommendation

Bernards
Approve

APPLICANT REQUEST

A request to rezone from Single-Family Residential (RS40) to Agricultural/Residential (AR2a) zoning for properties located at 7978 and 7984 Highway 100, approximately 700 feet east of Temple Road (6.97 acres).

Existing Zoning
RS40 District

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of 0.93 dwelling units per acre.

Proposed Zoning
AR2a District

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

BELLEVUE COMMUNITY PLAN

Natural Conservation (NCO)

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

Residential Low Medium Density (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 is consistent with the NCO policy but not the RLM policy. The majority of the site is within the NCO policy. The applicant has indicated that this request is to permit a rural bed and breakfast homestay which is



Metro Planning Commission Meeting of 3/12/2009

permitted as a Special Exception within the AR2 zoning district. This use requires a minimum lot size of five acres. The applicant will need to consolidate the two lots to meet this requirement and, as the lot will be less than seven acres in size, will not be able to subdivide the property while the use is in place.

ANALYSIS

As noted above, the applicant is intending to use this property for a rural bed and breakfast homestay. The Zoning Code defines this as:

"Rural bed and breakfast homestay" means a rural bed and breakfast homestay shall contain six or fewer furnished rooms for pay within a private, owner-occupied structure which is on a single lot that exceeds five acres, and is located in an agriculturally zoned district, and authorized by the board of zoning appeals, according to Section 17.16.160.

While the requested zone change is not entirely consistent with the density called for by the RLM policy, which covers a portion of the site, it is consistent with the NCO policy on the majority of the site.

PUBLIC WORKS RECOMMENDATION

No exception taken.

Maximum Uses in Existing Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	6.97	0.93	6	58	5	7

Maximum Uses in Proposed Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	6.97	0.5	3	29	3	4

METRO SCHOOL BOARD REPORT

Projected Student Generation

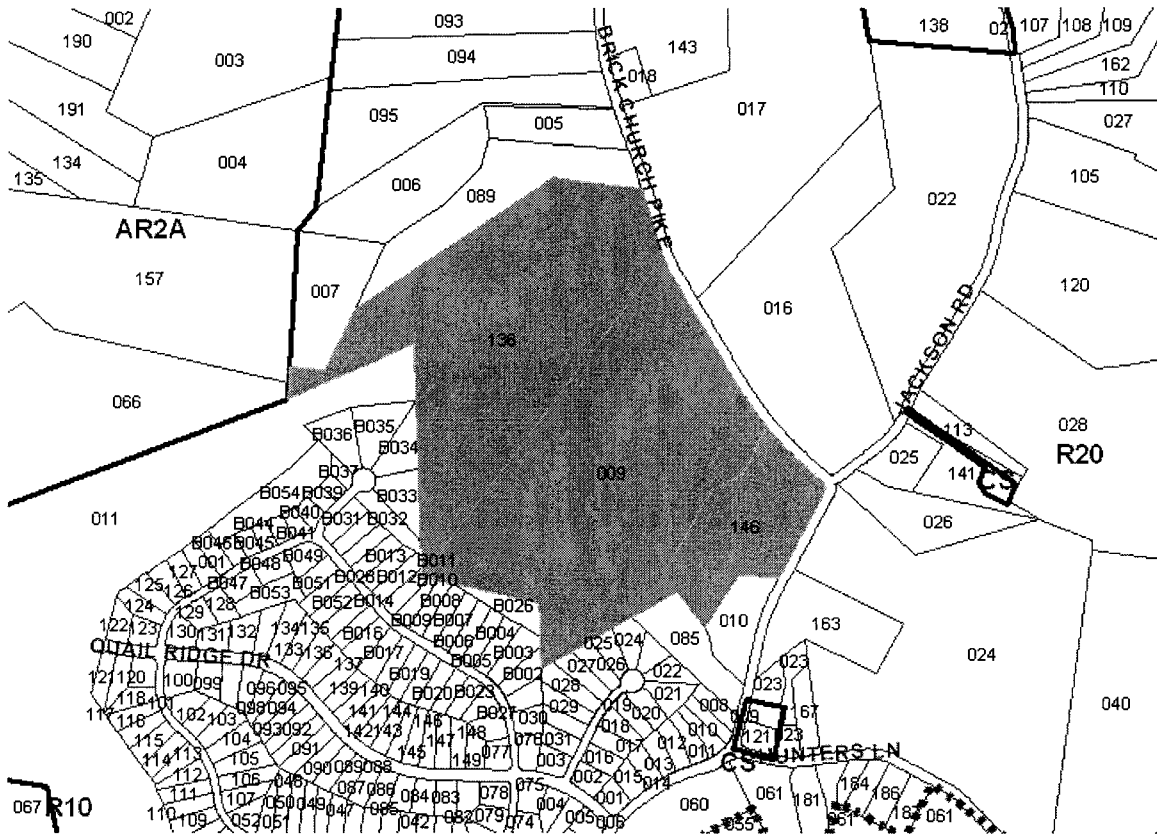
As this request to change from a single-family district to an agricultural district represents a down zoning, the number of expected students to be generated would be less than could be generated under current zoning.



Metro Planning Commission Meeting of 3/12/2009

STAFF RECOMMENDATION

Staff recommends approval of the request as the AR2a zoning district is consistent with NCO policy on the majority of the property.



2009Z-012PR-001
Map: 032-00 Parcels: 009, 136, 146
Parkwood/Union Hill Community Plan
Council District 3 – Walter Hunt



Project No.	Zone Change 2009Z-012PR-001
Council District	3 – Hunt
School District	3 – North
Requested by	Reinhold Holtkamp et ux, owners
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request to rezone from One and Two-Family (R20) to Agricultural/Residential (AR2a) zoning for properties located at 4370 and 4412 Brick Church Pike and Brick Church Pike (unnumbered), at the southwest corner of Brick Church Pike and Jackson Road (84.51 acres).

Existing Zoning

R20 District

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots. The current zoning would permit 195 lots.

Proposed Zoning

AR2a District

Agricultural/Residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a District is intended to implement the natural conservation or interim nonurban land use policies of the general plan. The proposed zoning would permit 42 lots.

**PARKWOOD/UNION HILL
COMMUNITY PLAN**

Rural (R)

R is intended for areas that are physically suitable for urban or suburban development but the community has chosen to remain predominantly rural in character. Agricultural uses, low intensity community facility uses, and low density residential uses (one dwelling unit per two acres or lower) may be appropriate.

Natural Conservation (NCO)

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



Metro Planning Commission Meeting of 3/12/2009

Consistent with Policy?

Yes. The request is consistent with the Rural and NCO policies and is more consistent with these policies than the current R20 zoning.

PUBLIC WORKS RECOMMENDATION

No exception taken.

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	84.51	2.31	195	1923	147	196

Maximum Uses in Proposed Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family detached (210)	84.51	0.5	42	469	40	50

METRO SCHOOL BOARD REPORT

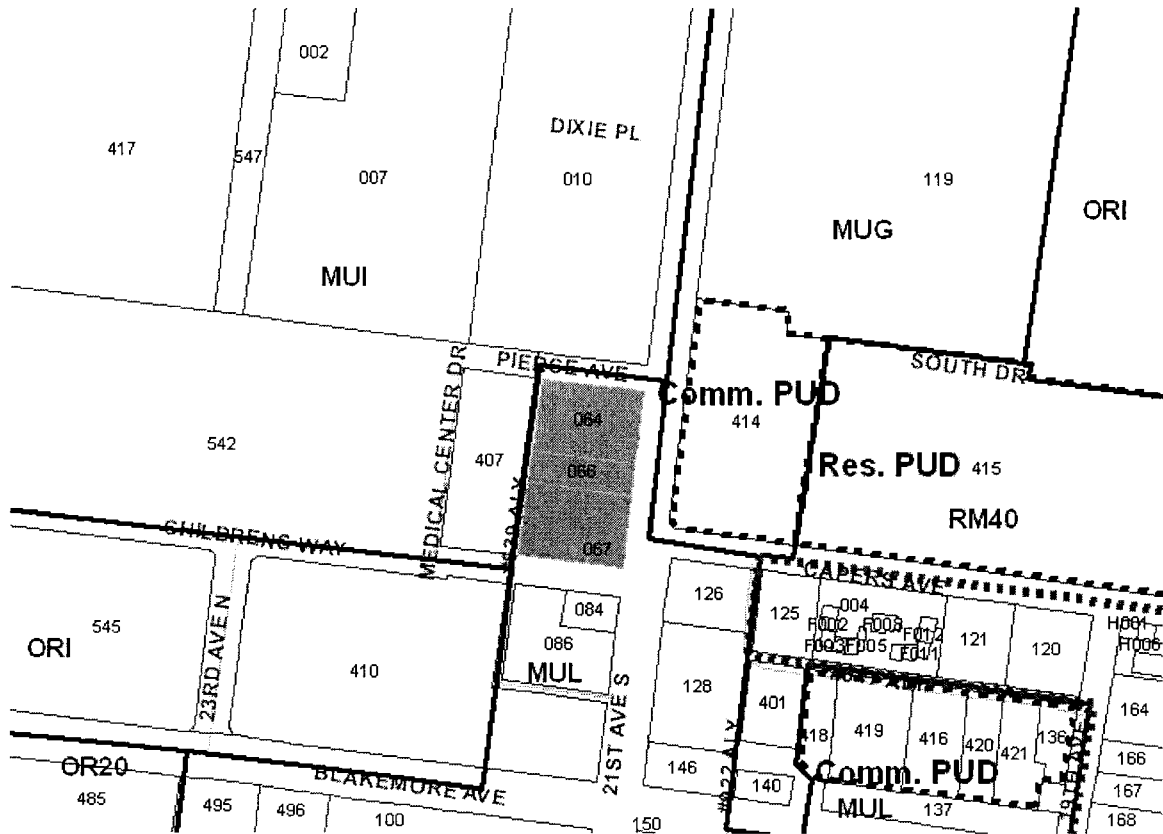
Projected Student Generation

As this request to change from a single-family and two-family district to an agricultural district represents a down zoning, the number of expected students to be generated would be less than could be generated under current zoning.

STAFF RECOMMENDATION

Staff recommend approval of the request as the AR2a zoning district is consistent with R and NCO policies.

SEE NEXT PAGE



2009Z-013PR-001
 Map: 104-08 Parcels:064, 066, 067
 Green Hills/Midtown Community Plan
 Council District 18 – Megan Barry



Project No.	Zone Change 2009Z-013PR-001
Council District	18 – Barry
School District	8 – Fox
Requested by	Vanderbilt University, owner
Staff Reviewer	Bernards
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request to change from Mixed Use Limited (MUL) to Mixed Use Intensive (MUI) zoning for properties located within the Hillsboro Village Urban Design Overlay at 1501, 1505, and 1507 21st Avenue South, at the southwest corner of 21st Avenue South and Pierce Avenue (1.27 acres).

Existing Zoning
MUL District

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

Proposed Zoning
MUI District

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

GREEN HILLS/MIDTOWN COMMUNITY PLAN

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 with the intent of the policy.

Consistent with Policy?

Yes. The applicant has requested this rezoning in order to expand the Monroe Carell Jr. Children’s Hospital. This non-profit hospital is considered a public benefit use and is allowed within this policy. As this property is within the Hillsboro Village UDO, the requirement for an enforceable site plan to accompany a zone change request has been met.

ANALYSIS

As noted above, the applicant has indicated that the purpose of this request is to allow for the expansion of the Monroe Carell Jr. Children’s Hospital. As a hospital is not



Metro Planning Commission Meeting of 3/12/2009

a permitted use within the MUL district the applicant has requested the MUI district, which is consistent with the zoning on the adjacent property and other Vanderbilt University properties. The properties are within in the Hillsboro Village UDO and the requirements of the UDO will govern building form, building orientation, and bulk standards. The rezoning has been requested solely to permit the use.

PUBLIC WORKS RECOMMENDATION

Traffic study will be required at the time of development

Typical Uses in Existing Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station With Convenience Market (945)	1.27	0.115	6,362	NA	505	618

Typical Uses in Proposed Zoning District: MUI

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.27	0.894	49,457	776	107	135

Maximum Uses in Existing Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station with Convenience Market (945)	1.27	1	6,362*	NA	505	618

*Adjusted as per use.

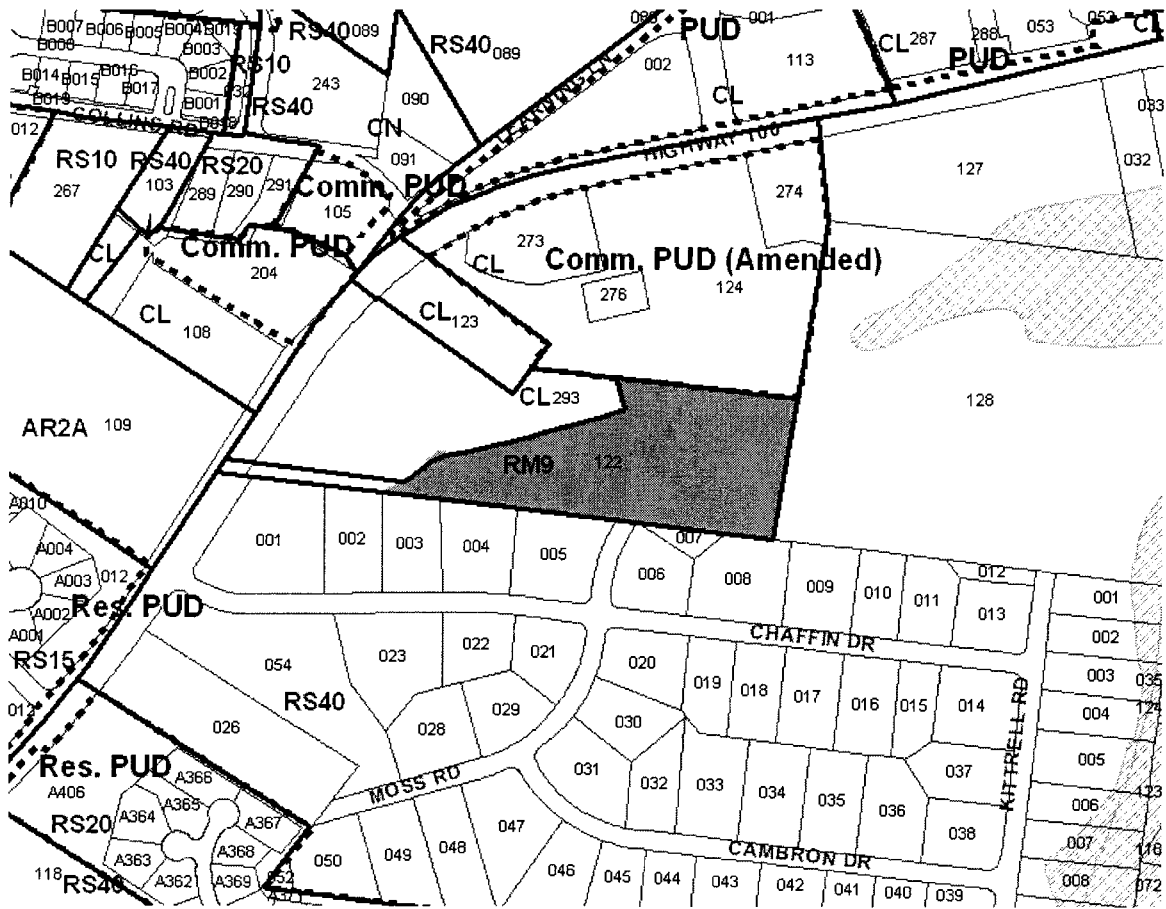
Maximum Uses in Proposed Zoning District: MUI

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.27	5	276,606	2921	424	389

STAFF RECOMMENDATION

Staff recommends approval of the request to rezone from MUL to MUI. The non-profit hospital is considered a public benefit use and is allowed within the NU policy, and as the property is within the Hillsboro Village UDO, the requirement for an enforceable site plan to accompany a zone change request has been met.

SEE NEXT PAGE



2009Z-015PR-001
 Map: 155-00 Parcel: 122
 Bellevue Community Plan
 Council District 35 – Bo Mitchell



Project No. Zone Change 2009Z-015-001
Council Bill BL2009-411
Council District 35 - Mitchell
School District 9 - Coverstone
Requested by Councilmember Bo Mitchell, applicant, Betty French and Mary and James Johnson, owners

Staff Reviewer Swaggart
Staff Recommendation Disapprove. If the Bill is amended to address staff concerns, then staff recommends approval with conditions.

APPLICANT REQUEST

A request to amend a previously approved Council Bill (BL2005-543) to modify a condition restricting access to Moss road for property located at 5109 Moss Road, zoned Multi-Family Residential (RM9), approximately 775 feet south of Collins Road (6.03 acres).

Zoning District
RM9 District

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

REQUEST

This is a request to amend a previously approved Council Bill (BL2005-543) to modify a condition pertaining to the restriction of access to Moss Road. The bill, adopted in 2005, authorized the rezoning of two properties from Commercial Limited (CL) and Office Limited (OL) to single-family, two-family and multi-family residential (RM9), and included conditions. The conditions required that prior to the issuance of any building permits an updated Traffic Impact Study (TIS) be submitted, or that certain traffic conditions from a 2003 TIS would be required. The conditions are as follows:

1. Extend the existing left turn lane (12 ft wide) on Hwy 100 from the Collins Rd intersection to the westernmost site access joint access driveway. Install required transition per AASHTO. Lane shall be marked as 2-way left turn.
2. Dedicate 1/2 of ROW along HWY 100 frontage as required for street classification of U4 (84' ROW) per TDOT's APR plans. Adjacent western property shall also dedicate such ROW along its Hwy 100 property frontage.



Metro Planning Commission Meeting of 3/12/09

3. Two site driveways shall be installed with 1 entering lane and 2 exiting lanes. Driveway widths shall not exceed 35 ft. One drive shall be installed opposite the barn theater drive and the other drive shall be a joint access drive with adjacent western property. Adequate sight distance shall be provided.
4. The driveway opposite the Map 155, Parcel 204 shall be signalized if warrants are justified at completion of property development. Developer shall conduct traffic counts and submit warrant analysis to Metro Traffic Engineer for approval. Signal shall be bonded. Signal design shall provide video detection equipment for site traffic movements. Pedestrian facilities shall also be installed.
5. No access to Moss road shall be allowed.
6. Since Hwy 100 is a state facility, Hwy 100 improvements shall be submitted to TDOT for their approval.

Analysis

The intention of this bill is to restrict parcel 122, which is zoned for multi-family residential uses, from having any access to Moss Road. While the intent is to restrict access to Moss Road, the bill is worded such that both a new TIS is required *and* the conditions of the 2003 TIS must be satisfied. Since the 2003 TIS was conducted there have been numerous changes in the area and many of the conditions are no longer relevant to the site. The bill should be amended to require an updated TIS that would *supersede* the 2003 TIS. In addition, in order to ensure that the intent of this bill is met, it needs to explicitly restrict access to Moss Road.

While neither this bill nor the bill being amended specifically addresses secondary access, a secondary access from the property to Moss Road may be appropriate. Moss Road is in a residential district, and it is appropriate to restrict commercial property from accessing Moss Road or the Pasquo Park Subdivision. Now that the property is zoned for residential uses (RM9), a secondary access *may* be feasible to Moss Road. Primary access to the property must continue to be from Highway 100. If an updated TIS warrants access to Moss Road, then it should only be limited to secondary access only with primary access being from HWY 100.



Metro Planning Commission Meeting of 3/12/09

PUBLIC WORKS RECOMMENDATION

A TIS will be required at development to address any changes in access that have been previously conditioned.

STAFF RECOMMENDATION

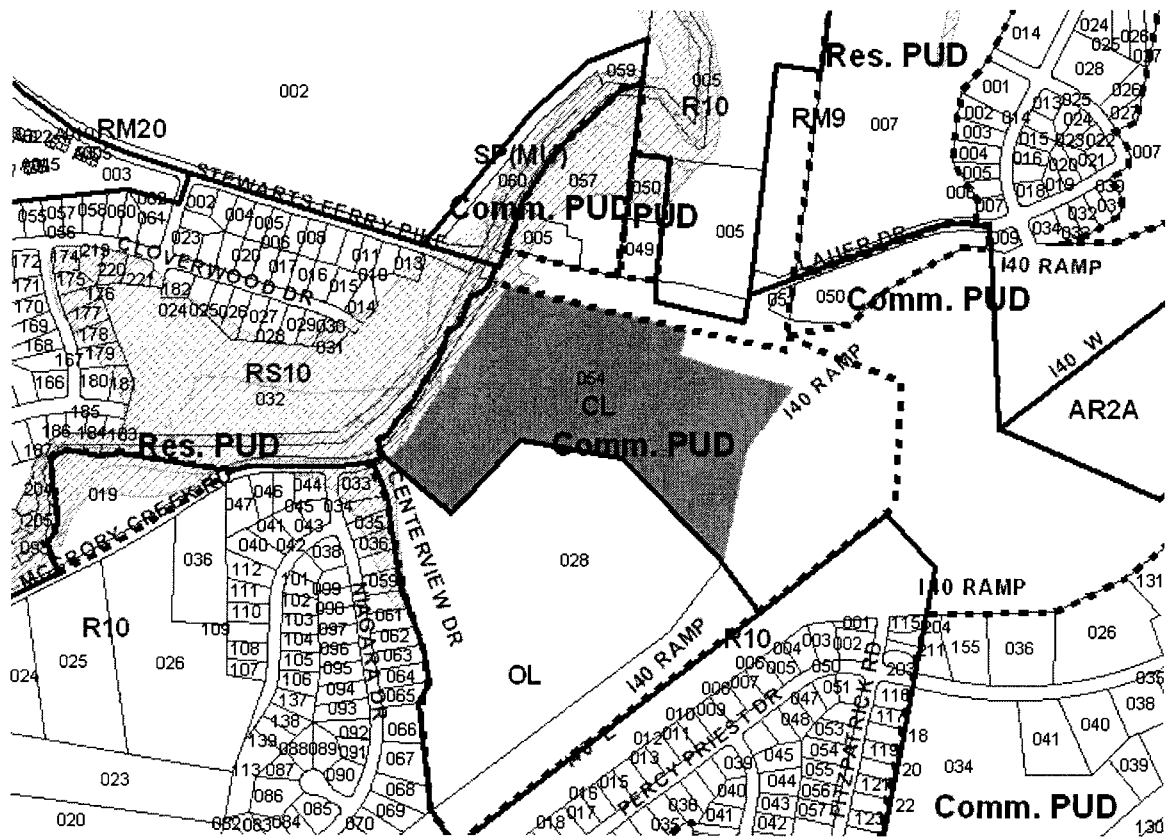
Staff recommends disapproval. If the bill is amended to address staff concerns then staff recommends approval with condition.

CONDITION (If approved)

1. The bill shall be amended to clarify that a new TIS shall be required, and that the TIS conditions listed in BL2005-543 shall not be required.
2. The following condition shall be added: "Any future development under the RM9 zoning shall have its primary access from Highway 100, and based on the findings of the TIS, a secondary access may be permitted from Moss Road."

SEE NEXT PAGE

**REVISIONS
and FINAL SITE PLANS**



155-74P-001

Larchwood Commercial (Lot 2 Revision)

Map: 096-00 Parcel: 054

Donelson/Hermitage/Old Hickory Community Plan

Council District 14 – James Bruce Stanley



Project No. **Planned Unit Development 155-74P-001**
Project Name **Larchwood Commercial (Lot 2 Revision)**
Council District 14 - Stanley
School Board District 4 - Glover
Requested By Gresham Smith and Partners, applicant for Commerce Center TN Land L.P., owner

Staff Reviewer Swaggart
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST
Revise Preliminary Plan

A request to revise the preliminary plan for a portion of the Larchwood Commercial Planned Unit Development Overlay located at 6918 Stewarts Ferry Pike, at the southeast corner of Stewarts Ferry Pike and McCrory Creek Road (19.04 acres), zoned Commercial Limited (CL) to permit 183,000 square feet of office uses, 20,000 square feet of retail uses and 5,200 square feet of restaurant uses, replacing 221,350 square feet of office, hotel and restaurant uses.

Existing Zoning
Commercial Limited (CL)

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

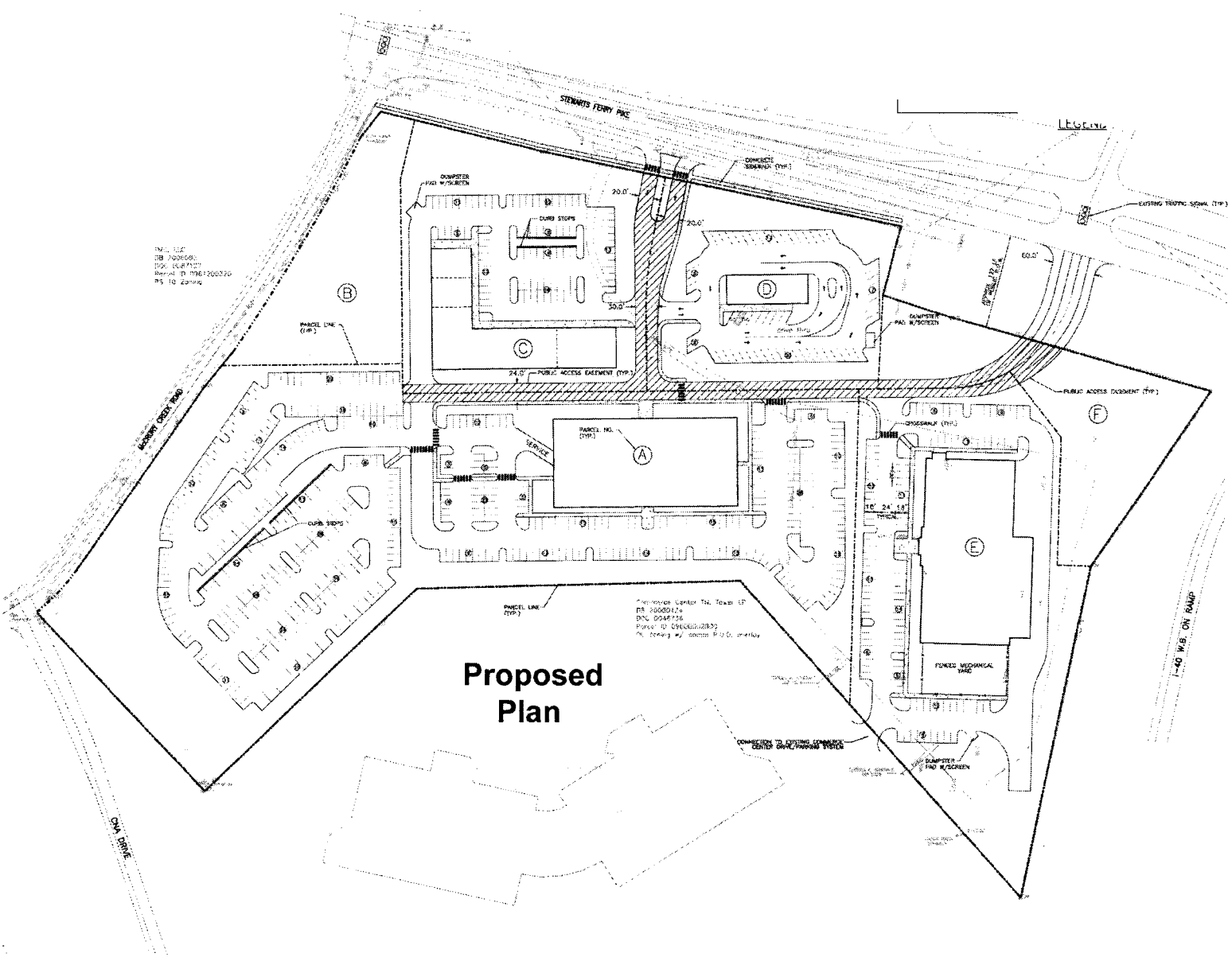
PLAN DETAILS

The Larchwood Commercial Planned Unit Development was originally approved in 1974. The PUD has been revised and amended numerous times and is approved for commercial and office uses.

This portion of the PUD (Lot 2) was last approved for 221,350 square feet of office, hotel and restaurant uses. The site is mostly vacant but there is a large hard surfaced parking area that has been used by the adjacent property. The area along McCrory Creek Road contains a large stand of mature trees and also contains some areas of steep slopes. There are also other areas of steep slopes on the property and it is elevated above Stewarts Ferry Pike and McCrory Creek Road.

Site Plan

The plan calls for 183,000 square feet of office space, 20,000 square feet of retail space, and 5,200 square feet of restaurant space for a total of 208,200 square feet of floor space. The floor space is distributed amongst four individual buildings.



1/4" = 1'-0"
 DB 2006080
 1/2" = 1'-0"
 Revised: 01/08/12/000000
 AS TO Zoning

The above Center Tr. Texas LP
 PS 10000176
 DMC 0000176
 Parcel ID C56400000000
 % zoning w/ center P.O.D. priority

Proposed Plan

1-40' W.B. ON RAMP



Metro Planning Commission Meeting of 3/12/2009

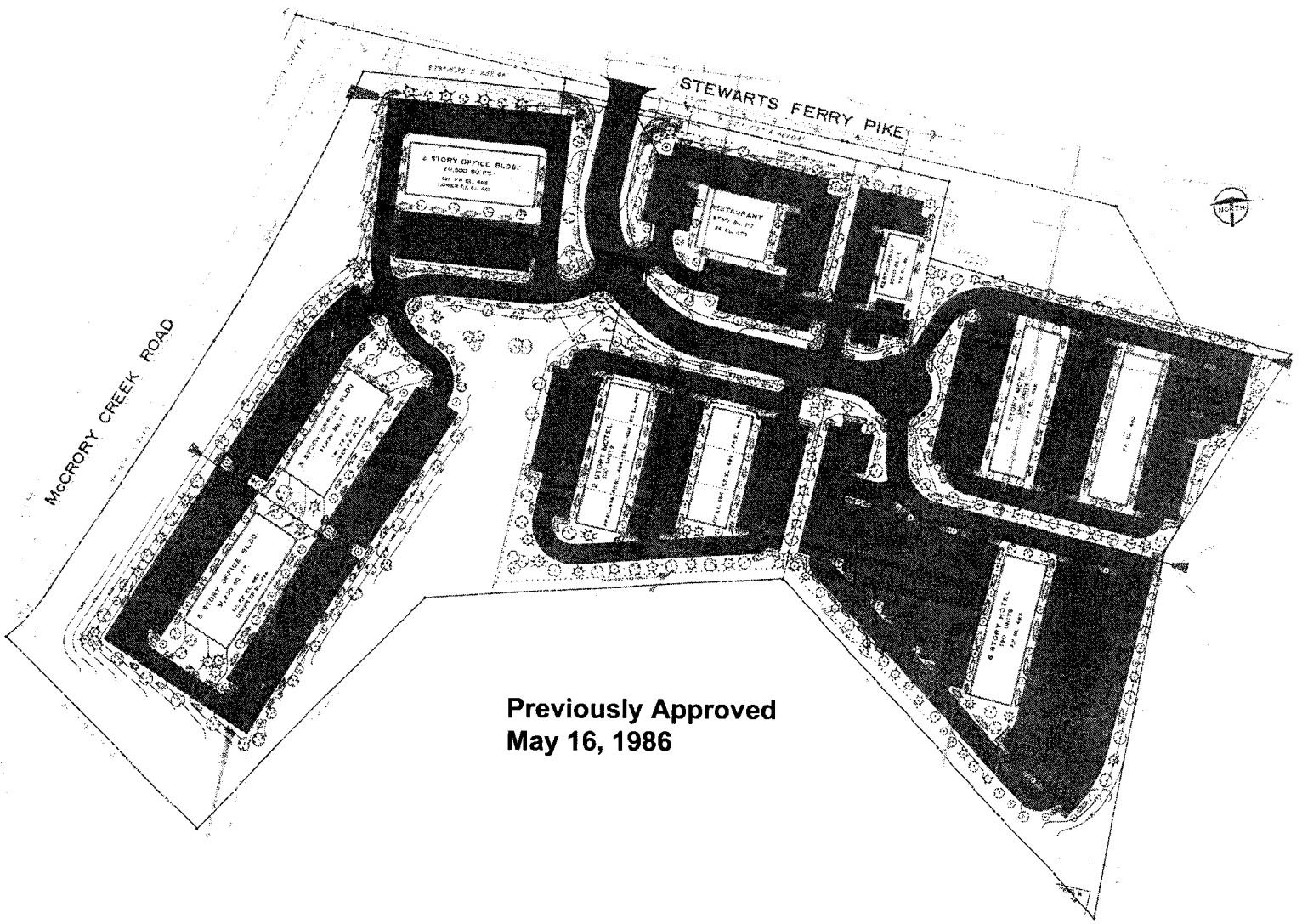
Access to the development is shown directly from Stewarts Ferry Pike and indirectly from McCrory Creek Road. The indirect access to McCrory Creek Road is shown from Centerview Drive which is a private drive and is located within the Larchwood PUD. A cross access easement will be required to ensure that the access can be legally maintained.

Staff Analysis

The proposed development complies with all zoning requirements including parking and bulk standards. The proposed uses are allowed within the overlay and the layout is consistent with the last approved site plan. An attempt was made to revise the layout in order to bring the buildings closer to Stewarts Ferry Pike and to revise the internal drive to create a more pedestrian friendly environment. While it is possible to move the buildings so that they would adequately address Stewarts Ferry Pike, it would require significantly more grading. Currently, there is a split-face wall at the back of the lot. At its tallest point it is 36 feet high. The amount of grading needed to allow for the buildings to address Stewarts Ferry Pike would result in a wall between 80 and 100 feet in height. The site will require significant grading for this development, but the amount of grading required to orient the buildings closer to Stewarts Ferry would have been excessive and would have resulted in a large, unsightly split-face wall. Since the site plan meets all requirements and is consistent with the last approved site plan, staff recommends that the request be approved with conditions.

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. Show and dimension right of way along Stewarts Ferry Pike. Label and show reserve strip for future right of way 42 feet from centerline to property boundary, consistent with the approved major street plan (U4 - 84' ROW).
3. Show and dimension right of way along McCrory Creek Road at property corners. Label and dedicate right of way, 30 feet from centerline to property boundary, consistent with the approved major street



**Previously Approved
May 16, 1986**



Metro Planning Commission Meeting of 3/12/2009

- / collector plan.
4. Right of way is required along McCrory Creek Road for the construction of the McCrory Creek Business Park required infrastructure improvements. Coordinate the proposed site development with the McCrory Creek Business Park development. Dedicate right of way, grade site, and located the proposed retaining wall outside of the required improvement areas.
 5. For the proposed sidewalk construction along Stewarts Ferry Pike, construct a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways.
 6. A Traffic Impact Study is under review and comments will be forthcoming.

STORMWATER RECOMMENDATION

Preliminary PUD approved except as noted:

1. Remove detention / water quality pond out of the zone 2 stream buffer.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The request meets all zoning requirements and the uses and layout are consistent with the overlay.

CONDITIONS

1. Prior to any final site plan approval, the applicant must demonstrate that the development can legally access McCrory Creek Road through parcel 028. Access shall be provided by a cross-access easement which shall be platted or recorded by instrument.
2. Remove detention / water quality pond out of the zone 2 stream buffer.
3. If conditions of the TIS are not submitted prior to the Planning Commission meeting, then conditions shall be provided with the final site plan. This approval does not negate applicant from Public Works' conditions for TIS comments.



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4. Prior to the issuance of any building permits, a final plat shall be required, including the dedication of right-of-way along McCrory Creek Road, and Stewarts Ferry Pike as per the preliminary site plan.
5. 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.
6. 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.
7. 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.
8. 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.