



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department  
Metro Office Building  
800 Second Avenue South  
Nashville, Tennessee 37201

**Minutes  
of the  
Metropolitan Planning Commission**

*August 13, 2009*

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*4:00 PM*

*Metro Southeast at Genesco Park  
1417 Murfreesboro Road*

**PLANNING COMMISSION:**

James McLean, Chairman  
Phil Ponder, Vice Chairman  
Stewart Clifton  
Judy Cummings  
Derrick Dalton  
Tonya Jones  
Hunter Gee  
Victor Tyler  
Councilmember Jim Gotto  
Andrée LeQuire, representing Mayor Karl Dean

**Staff Present:**

Rick Bernhardt, Executive Director  
Ann Hammond, Asst. Executive Director  
Doug Sloan, Legal Counsel  
Bob Leeman, Planning Mgr. II  
Trish Brooks, Admin. Svcs Officer 3  
Craig Owensby, Public Information Officer  
Brenda Bernards, Planner III  
Brian Sexton, Planner I  
Jason Swaggart, Planner II  
Carrie Logan, Planner II  
Anita McCaig, Planner III  
Greg Johnson, Planner II  
Steve Mishu, Metro Water  
Jonathon Honeycutt, Public Works

*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.*

**I. CALL TO ORDER**

The meeting was called to order at 4:02 p.m.

**II. ADOPTION OF AGENDA**

Ms. Hammond explained that the Commission received a revised agenda due to a change contained in the caption for Item #7, Seven Springs PUD (Amendment #2). She stated that the square footage of retail and restaurant uses was reduced to 58,918.

Mr. Gee announced that he would recuse himself from Item #5, 2009SP-013-001, Universal Robotics.

Mr. Ponder moved and Mr. Gotto seconded the motion, which passed unanimously, to adopt the agenda as presented. **(10-0)**

**III. APPROVAL OF JULY 23, 2009, MINUTES**

Mr. Ponder moved and Mr. Gee seconded the motion, which passed unanimously, to approve the July 23, 2009, minutes as presented. **(10-0)**

#### **IV. RECOGNITION OF COUNCILMEMBERS**

Councilmember Toler spoke in favor of Item #4, which was on the consent agenda with a recommendation of approval. He then stated that he would address the Commission on Item #6, 2009Z-028PR-001, and Item #7, 98P-007-001, Seven Springs PUD, after it was presented for discussion.

Mr. McLean acknowledged Former Councilmember Fentress who was in the audience.

#### **V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN**

1. 2009Z-008TX-001      A request to amend the Metro Zoning Code to designate electronic display signs as a permitted use or a special exception use in certain zoning districts, and to add standards for electronic display signs to be allowed as a special exception use, requested by Councilmember Charlie Tygard.      -Staff Recommends deferral to October 8, 2009, meeting.
2. 2009CP-010-001      A request to amend land use policies on property within the Green Hills – Midtown Community Plan: 2005 Update located at Cross Creek Road and Abbot Martin Road from RAC (Regional Activity Center) and RLM (Residential Low Medium) to Community Character Policies CO (Conservation), T5 MU (T5 Center Mixed Use Neighborhood), and T4 NE (T4 Urban Neighborhood Evolving), requested by Fiveash Development. (See also Proposal No. 2009SP-013-001).      -Staff recommends indefinite deferral.
3. 2009SP-009-001      A request to change from R20 and RM20 zoning to SP-R for properties located at 3910, 3914, 3916, 3920, 3922, and 3926 Cross Creek Road and 2215, 2217, and 2219 Abbott Martin Road, to permit up to 270 multi-family residential units and one single family residential unit, requested by Fiveash Development, applicant, for various owners (See also Community Plan Amendment 2009CP-010-001.)      -Staff recommends indefinite deferral.

Ms. Hammond explained that it was staff's recommendation that the Commission defer Item#1, 2009Z-008TX-001, Electronic Signs (Special Exception Use) to October 8, 2009, in order to allow for additional work sessions on the proposed bill.

Mr. Clifton explained that Councilmember Tygard moved this bill to Council's November Public Hearing.

Mr. Clifton moved and Ms. Cummings seconded the motion, which passed unanimously, to adopt the Deferred and Withdrawn items as amended. **(10-0)**

Ms. Hammond announced, "As information for our audience, if you are not satisfied with a decision made by the Planning Commission today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Planning Commission's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact independent legal counsel."

#### **VI. PUBLIC HEARING: CONSENT AGENDA ZONING MAP AMENDMENTS AND SPECIFIC PLANS**

4. 2007SP-040-001      A request to amend Council Bill BL2007-1409 for a portion of the previously approved High Point Specific Plan District located at 6640 Nolensville Pike, to add "retail" as a permitted use in the SP district.      -Approve
8. 2009Z-029PR-001      A request to rezone from R8 to IWD zoning for a portion of property located at 2506 Brick Church Pike.      -Approve

**REVISED SITE PLANS**

- 9. 2006IN-001-001 A request for a minor modification of a portion of the preliminary plan for the Lipscomb University Institutional Overlay district for various properties located east of Belmont Boulevard, zoned R10, to revise the location of several proposed buildings. -Approve w/conditions
- 10. 97P-026-001 A request to revise the preliminary plan and for final approval for the West End Station Residential Planned Unit Development located at 124 36th Avenue North, to reduce the number of townhouse units from 46 to 45 and to revise the layout of some proposed units. -Approve w/ conditions

**OTHER BUSINESS**

- 11. New employee contract for David A. Edwards. -Approve
- 12. An employee contract renewal for Joni Priest. -Approve

Mr. Clifton moved and Ms. Cummings seconded the motion, which passed unanimously, to approve the Consent Agenda as presented. **(10-0)**

Mr. Gotto suggested the Commission hear Item #6 and #7 first on the agenda to allow additional time for Councilmember Wilhoite to arrive at the meeting to address the Commission on Item #5, 2009SP-013-001, Universal Robotics.

**VII. PREVIOUSLY DEFERRED ITEMS**

- 1. **2009Z-008TX-001**  
Electronic Signs (Special Exception Use)  
Staff Reviewer: Kathryn Withers

A request to amend the Metro Zoning Code to designate electronic display signs as a permitted use or a special exception use in certain zoning districts, and to add standards for electronic display signs to be allowed as a special exception use, requested by Councilmember Charlie Tygard.

**Staff Recommendation: Defer to the October 8, 2009, Planning Commission meeting.**

**The Metropolitan Planning Commission DEFERRED Text Amendment 2009Z-008TX-001 to October 8, 2009, at the request of the applicant. (10-0)**

**VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS**

- 2. **2009CP-010-001**  
Valerie Crossings at Green Hills  
Map: 117-14 Parcels:080-089  
Green Hills/Midtown Community Plan  
Council District 25 – Sean McGuire, Council District 34 – Carter Todd  
Staff Reviewer: Bob Eadler

A request to amend land use policies on property within the Green Hills – Midtown Community Plan: 2005 Update located at Cross Creek Road and Abbot Martin Road from RAC (Regional Activity Center) and RLM (Residential Low Medium) to Community Character Policies CO (Conservation), T5 MU (T5 Center Mixed Use Neighborhood), and T4 NE (T4 Urban Neighborhood Evolving), requested by Fiveash Development. (See also Proposal No. 2009SP-013-001).

**Staff Recommendation: Defer Indefinitely**

**The Metropolitan Planning Commission DEFERRED Community Plan Amendment 2009CP-010-001 indefinitely, at the request of the applicant. (10-0)**

## **IX. PUBLIC HEARING: ZONING MAP AMENDMENTS AND SPECIFIC PLANS**

### **3. 2009SP-009-001**

Valerie Crossings at Green Hills  
Map: 117-14 Parcels: 080 - 089  
Green Hills/Midtown Community Plan  
Council District 25 – Sean McGuire, Council District 34 – Carter Todd  
Staff Reviewer: Brenda Bernards

A request to change from R20 and RM20 zoning to SP-R for properties located at 3910, 3914, 3916, 3920, 3922, and 3926 Cross Creek Road and 2215, 2217, and 2219 Abbott Martin Road, at the southeast corner of Abbott Martin Road and Cross Creek Road (7.89 acres), to permit up to 270 multi-family residential units and one single family residential unit, requested by Fiveash Development, applicant, for various owners (See also Community Plan Amendment 2009CP-010-001.)

**Staff Recommendation: Defer Indefinitely**

**The Metropolitan Planning Commission DEFERRED Zone Change 2009SP-000-001 indefinitely at the request of the applicant. (10-0)**

### **4. 2007SP-040-001**

High Point (Amendment #1)  
Map: 181-00 Parcel: 046  
Southeast Community Plan  
Council District 31 – Parker Toler  
Staff Reviewer: Jason Swaggart

A request to amend Council Bill BL2007-1409 for a portion of the previously approved High Point Specific Plan District located at 6640 Nolensville Pike, approximately 610 feet north of Concord Hills Drive (4.25 acres), to add "retail" as a permitted use in the SP district, requested by Highpoint Investors LLC, applicant.

**Staff Recommendation: Approve**

#### **APPLICANT REQUEST Amend SP Ordinance**

Add "retail" as a permitted use within the SP district. A request to amend Council Bill 2007-1409 for a portion of the previously approved High Point Specific Plan District located at 6640 Nolensville Pike, approximately 610 feet north of Concord Hills Drive (4.25 acres), to add "retail" as a permitted use in the Specific Plan - Mixed Use (SP-MU) district.

#### **Existing Zoning**

SP-MU District - Specific Plan-Mixed Use 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 residential uses in addition to office and/or commercial uses.

#### **CRITICAL PLANNING GOALS N/A**

#### **CRIEVE HALL/TUSCULUM COMMUNITY PLAN POLICY**

**Community 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 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 amendment adds retail as an additional use within the commercial district, which is a use that is compatible with the Community Center policy. There are no other changes to the SP with this amendment.

**PLAN DETAILS** The High Point Specific Plan District was approved by Metro Council in 2007. The approved plan consists of a mixture of residential and commercial uses, including 96 residential units and 125,450 square feet of

commercial uses. While the SP permits some commercial uses, it did not include “retail” as one of the permitted commercial uses. The permitted commercial uses in the current SP approved by Council are as follows:

- Bed and Breakfast;
- Personal Care Services;
- Restaurant;
- Automobile Convenience (Permitted with conditions);
- Home Improvement Sales (Permitted with conditions).

Furthermore, the ordinance was amended by the area’s council representative to limit the types of permitted uses. The amendment specifically prohibited uses, including a hotel. That council bill amendment did not prohibit retail.

The proposed “retail” use is consistent with the intent of the original SP and is compatible with other permitted commercial uses. The change is minor in that it does not alter the design of the SP, but should benefit the development by allowing a wider range of uses.

**STORMWATER RECOMMENDATION** Approved

**PUBLIC WORKS RECOMMENDATION** Comply with previous conditions.

1. Required IDA improvements for the High Point specific plan (2007SP-040G-12) are to be constructed on Nolensville Pike, meeting the linear footage as stipulated by the Planning staff (RS2007-096 / BL2007-1409).
2. Construct a continuous three (3) lane cross-section between Jackson Valley Subdivision (Nolensville Pike / High Point Terrace) and the Mill Creek Towne Centre development (Nolensville Pike / Concord Hills Drive).
3. There shall be no direct access onto Nolensville Road from commercial outparcels.
4. In accordance with the recommendations of the traffic impact study, the following improvements will be required:
  - a. Construct the project access at Nolensville Road with one entering and two exiting lanes (LT and RT) with a minimum of 75 ft of storage and transitions per AASHTO/MUTCD standards.
  - b. Construct a southbound left turn lane on Nolensville Rd at site access with a minimum of 100 ft of storage and transitions per AASHTO/MUTCD standards.
  - c. Construct a northbound right turn lane on Nolensville Rd at the site access with a minimum of 100 ft of storage and transitions per AASHTO/MUTCD standards.
  - d. Developer shall conduct a signal warrant analysis for the intersection of Nolensville Rd and the project access at the following intervals: at the final phase of the residential portion of the development and at the development of the commercial parcels, or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission.

**STAFF RECOMMENDATION** Staff recommends that the request be approved. The proposed retail use is consistent with other commercial uses currently permitted in the SP district.

Approved, (10-0) *Consent Agenda*

**Resolution No. RS2009-103**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-040-001 is **APPROVED. (10-0)**

**The proposed amendment to the SP to permit retail is consistent with the original SP and the Crieve Hall – Tusculum Community Plan’s Community Center policy.”**

5. **2009SP-013-001**  
Universal Robotics  
Map: 135-00 Parcel: 334  
Antioch/Priest Lake Community Plan  
Council District 29 – Vivian Wilhoite  
Staff Reviewer: Jason Swaggart

A request to change from R10 to SP-MU zoning for property located at 2518 Old Smith Springs Road, approximately 1,090 feet east of Ned Shelton Road (2.29 acres), to permit a single-family residence, guest house, detached garage and a two story, 7,600 square foot office building, requested by Looney Ricks Kiss Architects, applicant, for Benno Von Hopffgarten, owner.  
**Staff Recommendation: Disapprove**

Mr. Gee recused himself and stepped out of the meeting.

Mr. Swaggart presented and stated that staff is recommending disapproval.

Mr. Joe Johnson, 3316 Tinney Place, spoke in opposition to the proposed development.

Mr. Jack Englehart, 3308 Tinney Place, spoke in opposition to the proposed development.

Mr. Jim Holloway, 3029 Harbor Lights Drive, spoke in opposition to the proposed development.

Mr. Daryl Johnson, 3212 Tinney Place, spoke in opposition to the proposed development.

Councilmember Wilhoite explained that she held a neighborhood meeting for this development and was just learning of the opposition expressed as these issues were not mentioned at the community meeting. She spoke of her diligence in communicating any requests for development in her district with her constituents prior to their approvals. Councilmember Wilhoite explained that the applicant has agreed to deferring this request to August 27, 2009, and asked that the Commission grant this deferral to allow additional time for the developer to meet with this community.

Ms. Gina Ross, 3328 Tinney Place, spoke in opposition to the proposed development.

Mr. Mike Johnson, 3328 Tinney Place, spoke in opposition to the proposed development.

Mr. Alan Peters, 1127 Winding Way, spoke in favor of the proposed development.

Mr. Greg Tidwell, 3306 Long Blvd., spoke in favor of the proposed development.

Mr. Gotto moved, and Mr. Ponder seconded the motion, which passed unanimously, to keep the public hearing open and defer Zone Change 2009SP-013-001 to August 27, 2009, to allow additional time for the developer to meet with the community. **(9-0)**

**Resolution No. RS2009-104**

**“BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-013-001 is DEFERRED TO THE AUGUST 27, 2009 PLANNING COMMISSION MEETING, and the public hearing will be kept open. (9-0)”**

Mr. Gee stepped back into the meeting.

**6. 2009Z-028PR-001**

Map: 160-00 Parcel: 044  
Southeast Community Plan  
Council District 31 – Parker Toler  
Staff Reviewer: Greg Johnson

A request to rezone from OR40 to MUL zoning for property located within a portion of the Seven Springs Planned Unit Development Overlay at 330 Seven Springs Way, opposite Cloverland Drive (10.94 acres), requested by Barge Cauthen & Associates, Inc., applicant, for Highwoods Realty Limited Partners, owner (See also Proposal No. 98P-007-001).

**Staff Recommendation: Approve.**

[Note: Items #6 and #7 were discussed by The Metropolitan Planning Commission together. See Item #7 for staff report, actions, and resolutions.]

- 7. **98P-007-001**  
 Seven Springs PUD (Amendment #2)  
 Map: 160-00 Parcels: 044, 243  
 Southeast Community Plan  
 Council District 31 – Parker Toler  
 Staff Reviewer: Greg Johnson

A request to amend a portion of the Seven Springs Planned Unit Development located on property at 310 and 330 Seven Springs Way, opposite Cloverland Drive (22.94 acres), zoned OR40 and proposed for MUL for a portion of the amended area, to permit 639,920 square feet of office uses and 58,918 square feet of retail and restaurant uses for a total of 718,838 square feet in the amended portion of the PUD, where 499,169 square feet of office space was previously approved, requested by Barge Cauthen & Associates, Inc., applicant, for Highwoods Realty Limited Partnership, owner. (See also Proposal No. 2009Z-028-001).

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST** - Rezone and amend PUD to permit additional office space and to add retail and restaurant uses.

**Zone Change** A request to rezone 10.94 acres from Office/Residential (OR40) to Mixed Use Limited (MUL) zoning for property located within a portion of the Seven Springs Planned Unit Development Overlay at 330 Seven Springs Way, opposite Cloverland Drive.

**Amend Preliminary PUD Plan** A request to amend a portion of the Seven Springs Planned Unit Development located on property at 310 and 330 Seven Springs Way, opposite Cloverland Drive (22.94 acres), zoned Office/Residential (OR40) and proposed for Mixed Use Limited (MUL) for a portion of the amended area, to permit 639,920 square feet of office uses and 78,918 square feet of retail and restaurant uses for a total of 718,838 square feet in the amended portion of the PUD, where 499,169 square feet of office space was previously approved.

**Existing Zoning**

OR40 District - Office/Residential is intended for office and/or multi-family residential units at up to 40 dwelling units per acre.

**Proposed Zoning**

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

**CRITICAL PLANNING GOAL**

Several critical planning goals are met by this proposed PUD amendment because of the proposed uses and plan layout. Within a developed area of Davidson County,

- Fosters Distinctive, Attractive Mixed-Use Communities
- Supports Infill Development characterized by diverse, yet separate, uses, this PUD
- Creates Walkable Neighborhoods proposes to integrate office, retail/restaurant and
- Promotes Compact Building Design residential uses. Walkability among these various uses within the PUD will improve. The improved layout organizes retail, restaurant and office uses around a pedestrian-friendly streetscape with a “Main Street” type character. This walkable layout, combined with the proposed retail and restaurant uses, will allow access to a central node of basic services for current and future employees and residents of the PUD. The highest intensity office uses within the PUD will surround this retail and restaurant node, providing proximity to retail and office uses through compact site design.

**SOUTHEAST COMMUNITY PLAN**

**Office Concentration (OC)** The OC policy is intended for existing and future large concentrations of office development.

It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least nine to twenty dwelling units per acre (RMH density) are also an appropriate secondary use. OC activities will generally require some support services for office employees, such as restaurants, convenience stores, and health clubs. Often these support services cannot survive by serving only the OC area and must attract customers from other areas, which can lead to traffic congestion.

**Consistent with Policy?** Yes. The request to rezone the property from OR40 to MUL is consistent with the Office Concentration policy.

### **ZONE CHANGE**

The applicant has requested a zone change for a single parcel within the existing PUD. The existing zoning for this parcel is OR40 and the proposed zoning classification is MUL. This zone change request is consistent with Office Concentration policy.

Analysis Under the OR40 zoning district, retail and restaurant uses are allowed, but must be accessory to office uses. These accessory uses could only be accessed from inside individual office buildings, and signage advertising these uses cannot be displayed on the outside of the building. Accessory restaurants and retail uses could not occupy more than 10 percent of the gross floor area within the principal office building.

The requested MUL zoning would allow retail uses within this PUD to exist independently of the office uses. Exterior signage and direct access from the exterior of the building would be permitted. The proposed retail/restaurant uses are grouped together in this proposal and comprise approximately eleven percent (78,918 square feet) of the proposed and existing commercial/office square footage of the PUD. To ensure that the amount of retail/restaurant space remains consistent with Office Concentration policy, a condition of approval is proposed to require any expansion of retail/restaurant uses over a total of 95,000 square feet to require a PUD amendment from Metro Council.

The depth of these proposed retail/restaurant spaces is generally in the range of 50-60 feet, with one portion of Building 2 reaching a depth of 70 feet. The relatively short depth of these spaces will limit the scale of the businesses that locate in this PUD. For example, these shallow spaces favor lunch counters over full-scale restaurants and simple retail stores and personal service businesses over national retail stores.

The Office Concentration policy states that: *“The predominant uses in the OC areas are offices. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas.”* It also states that: *“OC activities will generally require some support services for office employees, such as restaurants, convenience stores, and health clubs. Often, these support services cannot survive by serving only the OC area and must attract customers from other areas, which can lead to traffic congestion.”*

The proposed retail/restaurant spaces included with the PUD amendment would, likely, create additional trips to the site, but would also, likely, lead to trip capture within the site because office employees and residents within the PUD would be able to walk to the restaurant and service/retail options. The applicant’s traffic study anticipates 10 percent trip capture within the site.

### **PUD AMENDMENT -Plan Details**

This PUD was originally approved by Council in 1999 and was last amended in 2004. The proposed plan amends a portion of the Seven Springs PUD to allow for 639,920 square feet of office uses and 78,918 square feet of retail and/or restaurant uses where 499,169 square feet of office space was previously approved. This proposal exceeds the floor area last approved by Council by more than 10 percent. As a result, this request requires Council approval.

**Proposed Amendment** The applicant proposes changes to the layout and uses within the western half of the PUD on parcels A and B. The overall PUD floor area proposed within this amendment is a 22 percent increase (1,011,419 square feet to 1,228,973 square feet) over the previously-approved plan. Increases in the amount of proposed office space and the addition of dedicated retail/restaurant space account for this increase in floor area.

The proposed layout of Parcel A is a considerable change from the previously-approved plan, which consisted of two small financial buildings along Old Hickory Boulevard and an 8-story office building toward the rear of the parcel with a combination of surface and structured parking lots surrounding these uses. Under the proposed amendment, Parcel A would



accommodate two mixed-use buildings, each holding retail/restaurant and office uses and a 5-floor parking structure with 2 elevated levels above ground. For each building, the retail/restaurant uses are proposed as a one-story liner to the parking structure. The office uses would exist in an attached 8-story building.

The proposed changes to parcel B are less dramatic. The applicant proposes a 5-story office building, replacing the previously-approved 4-story office building; and a 2-story above ground parking structure with two additional underground levels.

A new right-in and right-out only driveway connecting this portion of the PUD directly to Old Hickory Blvd is proposed. The previously-approved surface and structured parking along Old Hickory Boulevard has been decreased and organized into a stronger streetscape than a typical parking lot. Canopy trees are proposed along parking aisles and along Old Hickory Blvd. A new traffic signal and exiting lane is also proposed at the existing driveway at the westernmost side of the PUD onto Old Hickory Boulevard.

**Analysis** The relationship between buildings within the site will be strengthened by the proposed changes and the design will promote pedestrian activity within the site. Retail and office spaces are aligned along an interior landscaped driveway emphasizing walkable connections among the retail/restaurant and office uses. Most of the parking will be located within parking structures placed behind these uses, further separating car and foot traffic.

The proposed layout will form a stronger street presence along Old Hickory Blvd. by placing the building façade consistently along the street separated by one single-loaded parking aisle. The previous plan included minimal building frontage along the street with surface parking and a 2-story parking deck dominating the street frontage and the site. The retail and commercial buildings will have a stronger relationship to each other compared to the previous plan.

In 1999, Metro Council approved nine conditions of approval for this PUD. Several changes proposed in this PUD would require amendment of one condition regarding building heights and setbacks from existing development. The proposed 5-story office building on Parcel B would have a setback of 320 feet from the northern boundary instead of 350 feet, as originally approved. The proposed 8-story office portion of Mixed-use building 2 would have a setback of 540 feet instead of 550 feet from the northern boundary, as originally approved.

Staff recommends approval of these revised setbacks. Although the proposed setbacks are slightly shorter than the setbacks approved by Metro Council, the new setbacks provide generous separation between the single-family residential uses to the north and the proposed parking and office structures.

**Signage** If constructed to the extent allowed by the Zoning Code, on-premises ground signage could prove visually detrimental to the Old Hickory Blvd. streetscape and incompatible to the walkable layout of the PUD due to the allowed height and size of each sign.

According to the Metro Zoning Code, MUL and OR40 zoning classifications have the same requirements for ground signage, allowing 3 ground signs along the Parcel A frontage with a maximum total area of 192 square feet for all three signs and a height of 20 feet per sign. However, because the MUL zoning would allow individual retail and restaurant tenants to advertise on ground signs, the demand for additional signage space will likely increase. Ground signage with an allowable height of 20 feet and 192 square feet of sign area will detract from the existing and proposed pedestrian environment. In order to maintain a level of quality in the pedestrian environment, staff proposes a condition limiting the number of ground signs in the amendment area to a maximum of two signs. Additionally, each ground sign shall have a maximum height of 8 feet with a maximum display area of 100 square feet for each sign. These height and display area maximums will help to ensure that signs maintain an acceptable scale to pedestrians along Old Hickory Blvd. and within the project site.

Additional sign standards are proposed as conditions of approval. These include standards for sign lighting and sign alignment for retail and restaurant tenants.

#### **FIRE MARSHAL RECOMMENDATION**

1. All applicable fire codes shall be adhered to.
2. The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft.
3. A fire hydrant shall be provided within 100' of the fire department connection.
4. 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.

5. The turning radius of a fire department access road shall be 25' inside and 50' outside.
6. More than three stories above grade, Class I standpipe system shall be installed.
7. The final plat shall show location for all fire hydrants before plat approval.
8. Actual or proposed fire hydrant(s) locations and flow data shall be shown on the plans used to protect structures for this project.
9. More than one story below grade, Class I standpipe system shall be installed.
10. All new construction shall be protected by a fire hydrant(s) that comply with the 2006 edition of NFPA 1 table H. To see table H go to (<http://www.nashfire.org/prev/tableH51.htm>)

**PUBLIC WORKS RECOMMENDATION** Metro Public Works has requested an updated traffic study from the applicant accurately reflecting the scope of the proposed amendment. Additional comments will be provided after the updated traffic study has been reviewed.

*If the review of the revised TIS has not been completed prior to the Planning Commission meeting, planning staff recommends that the applicant defer this request until the review has been completed.*

**Maximum Uses in Existing Zoning District: OR40 (PUD)**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	10.94	n/a	499,169*	4601	679	638

**\*Based on the currently approved PUD plan**

**Maximum Uses in Proposed Zoning District: MUL (PUD)**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	10.94	n/a	639,920*	5571	829	796

**\*Based on the proposed PUD plan**

**Maximum Uses in Proposed Zoning District: MUL (PUD)**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center(820)	10.94	n/a	78,918*	5823	134	543

**\*Based on the proposed PUD plan**

**Traffic changes between maximum: OR40 (PUD) and proposed MUL (PUD)**

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	10.94	n/a	+219,669	+6793	+284	+701

**STAFF RECOMMENDATION** Staff recommends approval of the zone change request. The proposed MUL zoning is consistent with OC policy. The high proportion of office to retail land-uses proposed on the site plan meets the intent of OC policy.

Staff recommends approval with conditions of PUD amendment. The proposed layout will strengthen building relationships between each other and to Old Hickory Blvd. Pedestrian movement will be facilitated by the orientation of retail/restaurant spaces and the placement of parking facilities behind active uses.

**CONDITIONS**

1. Any expansion of retail/restaurant uses over a total of 95,000 square feet shall require a PUD amendment and Metro

Council approval.

2. All sign permit applications shall be reviewed by Planning staff. Signage shall follow Zoning Code requirements except as follows:

On-premises ground signs

- Ground signs shall be monument-style with a consistent base that is at least as wide as the sign background area.
- A maximum of two ground signs are allowed along the commercial frontage of Old Hickory Boulevard and/or Seven Springs Way for Parcel A.
- Each ground sign shall have a maximum height of 8 feet and a maximum display area of 100 square feet. The total display area for ground signs shall not exceed 192 square feet.

Lighting

For internally-illuminated signs, lighting shall be diffused and shall illuminate only letters and logos. Sign background area shall be opaque.

Building signs

Building signs for first floor retail/restaurant spaces shall be aligned on the facade. A minimum and maximum height for these signs shall be submitted as part of the sign program. The minimum and maximum heights shall be within 3 feet (eg. 12 foot minimum and 15 foot maximum height).

Signage program

A sign program illustrating all intended sign locations shall be submitted to Metro Planning prior to approval of building permits. The sign program will illustrate the allotment of signage display area to individual tenants and the proposed placement of signage on each building.

Prohibited signs

All signs prohibited by the Zoning Code, including billboards, are prohibited within Parcel A of the Seven Springs PUD.

3. Public Works conditions based on the review of the revised traffic study shall be met.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
6. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.
7. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval 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 preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

Mr. Johnson presented and stated that staff is recommending approval of Item #6, 2009Z-028PR-001 as well as approval with conditions on Item #7, 98P-007-001.

Mr. Tom White spoke in favor of the proposed development.

Mr. Bryan Reams, Highwoods Realty, spoke in favor of the proposed development.

Mr. William Hastings, Hastings Architects & Associates, spoke in favor of the proposed development.

Mr. Dan Barge, Barge Cauthen & Associates, spoke in favor of the proposed development.

Mr. Steve Diggs, a resident, spoke in opposition to the proposed development.

Councilmember Toler briefly explained that he has held community meetings to review this project with his constituents whereby issues such as buffering and retail were discussed. He acknowledged how there were improvements made to the plan and explained that it could still withstand additional refinements.

Mr. Ponder requested additional clarification on the parking component, as well as the landscape and buffering contained in the plan.

Mr. Johnson explained these components to the Commission.

Mr. Ponder then questioned where the traffic signals would be located in the proposed development.

Mr. Honeycutt explained the traffic signals contained in the proposal.

Mr. Ponder spoke in favor of the plan.

Mr. Dalton acknowledged that the plan met many of the critical planning goals such as infill development and spoke in favor of its approval.

Ms. LeQuire acknowledged the mixed use components of the plan and she too, spoke in favor of its approval.

Mr. Clifton mentioned his support for the plan.

Dr. Cummings requested additional clarification on the ingress/egress locations as well as the parking lot setbacks contained in the proposal.

Mr. Johnson explained these components to the Commission.

Mr. Gee spoke in favor of the development and acknowledged its overall support by the community. He then questions the plan's connectivity and whether future connections would be considered with surrounding parcels.

Mr. Bernhardt explained that there were no other possible connections that could be planned for this parcel.

Mr. Gotto questioned the type of landscape that was planned along Old Hickory Boulevard.

Mr. Leeman explained that the applicant would have to comply with the Landscape Buffer Yard requirements of the zoning code for a Scenic Arterial.

Mr. Gotto moved and Mr. Ponder seconded the motion, which passed unanimously, to approve Zone Change 2009Z-028PR-001 and approve with conditions Planned Unit Development 98P-007-001. **(10-0)**

**Resolution No. RS2009-105**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009Z-028PR-001 is **APPROVED (10-0)**

**The proposed zone change from OR40 to MUL and the associated PUD amendment are consistent with the Southeast Community Plan's Office Concentration policy.”**

**Resolution No. RS2009-106**

“BE IT RESOLVED by The Metropolitan Planning Commission that 98P-007-001 is **APPROVED WITH CONDITIONS.**  
**(10-0)**

**Conditions of Approval:**

1. Any expansion of retail/restaurant uses over a total of 95,000 square feet shall require a PUD amendment and Metro Council approval.
2. All sign permit applications shall be reviewed by Planning staff. Signage shall follow Zoning Code requirements except as follows:

On-premises ground signs

- Ground signs shall be monument-style with a consistent base that is at least as wide as the sign background area.
- A maximum of two ground signs are allowed along the commercial frontage of Old Hickory Boulevard and/or Seven Springs Way for Parcel A.
- Each ground sign shall have a maximum height of 8 feet and a maximum display area of 100 square feet. The total display area for ground signs shall not exceed 192 square feet.

Lighting

For internally-illuminated signs, lighting shall be diffused and shall illuminate only letters and logos. Sign background area shall be opaque.

Building signs

Building signs for first floor retail/restaurant spaces shall be aligned on the facade. A minimum and maximum height for these signs shall be submitted as part of the sign program. The minimum and maximum heights shall be within 3 feet (eg. 12 foot minimum and 15 foot maximum height).

Signage program

A sign program illustrating all intended sign locations shall be submitted to Metro Planning prior to approval of building permits. The sign program will illustrate the allotment of signage display area to individual tenants and the proposed placement of signage on each building.

Prohibited signs

All signs prohibited by the Zoning Code, including billboards, are prohibited within Parcel A of the Seven Springs PUD.

3. Public Works conditions based on the review of the revised traffic study shall be met.
4. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
6. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act and the Fair Housing Act.
7. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval 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 preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.”
8. Comply with all previous conditions of approval for this PUD.

9. 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.
10. Show and dimension right of way along Old Hickory Boulevard at property corners. Dimension from centerline. Label and show reserve strip for future right of way, 70 feet from centerline to property boundary, consistent with the approved major street plan (S8 - 140' minimum functional ROW).
11. Along Old Hickory Boulevard, construct bike lanes with a six (6') wide paved shoulder. Construct sidewalks with a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways. Sidewalks are to be located within the public right of way. Dedicate right of way, as applicable.
12. The proposed medians on Seven Springs Way and the existing drive that aligns with Valley View Road should both extend from Old Hickory Boulevard to the second driveway entrance on the respective roads, approximately 175 ft.
13. Modify parking that is parallel and adjacent to Old Hickory Boulevard, providing 50 ft of stacking space in the drive aisle between the first parking space and each driveway or private street.
14. Construct the center driveway on Old Hickory Boulevard, located between Cloverland Drive / Seven Springs Way and Valley View Road, to allow only right turns into and out of the site. A raised median shall be constructed in front of the site in order to enforce the turn restrictions for this driveway. This modification will require TDOT approval.
15. Construct a westbound right turn lane on Old Hickory Boulevard at the center driveway with 100 ft of storage and taper per AASHTO standards.
16. Widen the southbound approach of Seven Springs Way at Old Hickory Boulevard to provide two left turn lanes each with 125 ft of storage, a through lane, and a right turn lane with 125 ft of storage.
17. Construct a westbound right turn lane on Old Hickory Boulevard at Cloverland Drive / Seven Springs Way with 270 ft of storage and taper per AASHTO standards.
18. Construct a northbound right turn lane on Cloverland Drive at Old Hickory Boulevard with 75 ft of storage and taper per AASHTO standards.
19. Modify the eastbound left turn lane on Old Hickory Boulevard at Cloverland Drive / Seven Springs Way to provide 270 ft of storage and a bay taper per AASHTO standards when the raised median in Old Hickory Boulevard is installed.
20. Modify the traffic signal at Old Hickory Boulevard and Cloverland Drive / Seven Springs Way to accommodate dual left turns on the southbound approach, a westbound right turn overlap, a northbound right turn overlap, and southbound right turn overlap.
21. Construct an additional lane on the southbound driveway approach at the intersection of Old Hickory Boulevard and Valley View Road with 275 ft of storage and taper per AASHTO standards.
22. With the traffic signal installation, construct a northbound left turn lane on Valley View Road at Old Hickory Boulevard with 50 ft of storage and taper per AASHTO standards.
23. Design and install a traffic signal at the intersection of Old Hickory Boulevard and Valley View Road. Restripe the eastbound approach on Old Hickory Boulevard to provide approximately 275 ft of left turn storage. Provide 100 ft of storage for the westbound left turn lane with bay taper per AASHTO standards. The traffic signal shall be incorporated into the coordinated system along Old Hickory Boulevard. The traffic signal should provide protected plus permissive left turn phasing for the eastbound and westbound approaches. Provide a southbound right turn overlap.

24. Construct a westbound right turn lane on Old Hickory Boulevard and Valley View Road with 150 ft of storage and taper per AASHTO standards.
25. Final design of the project access drives shall be completed such that departure sight triangles, as specified by AASHTO, will be clear of all potential sight obstructions.

**The proposed PUD amendment and associated rezoning from OR40 to MUL are consistent with the Southeast Community Plan's Office Concentration policy."**

**8. 2009Z-029PR-001**

Map: 071-02 Parcel: Part Of 002  
Bordeaux/Whites Creek Community Plan  
Council District 2 – Frank R. Harrison  
Staff Reviewer: Brian Sexton

A request to rezone from R8 to IWD zoning for a portion of property located at 2506 Brick Church Pike, approximately 2,050 feet north of W. Trinity Lane (7.4 acres), requested by NAI Nashville, applicant, for Reggie and Susan Perry, owners.

**Staff Recommendation: Approve**

**APPLICANT REQUEST -Zone Change**

Rezone to industrial. A request to rezone from One and Two Family Residential (R8) to Industrial Warehousing/Distribution (IWD) zoning for a portion of property located at 2506 Brick Church Pike, approximately 2,050 feet north of W. Trinity Lane (7.4 acres).

**Existing District**

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

**Proposed Zoning**

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

**CRITICAL PLANNING GOALS N/A**

**BORDEAUX/WHITES CREEK COMMUNITY PLAN**

**Industrial (IN)** IN areas are dominated by one or more activities that are industrial in character. Types of uses intended in IN areas include non-hazardous manufacturing, distribution centers and mixed business parks containing compatible industrial and non-industrial uses. On sites for which there is no endorsed campus or master plan, an Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

**Residential Medium (RM)** RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments. This portion of the property is not included in the rezoning request.

**Consistent with policy?** The property proposed for the IWD zoning is consistent with the IN policy of the community plan. The IN policy supports non-hazardous manufacturing, distribution centers and mixed business park uses. The rezoning to IWD is also consistent with the existing pattern of industrial uses in the area and will also provide infill development opportunities along Brick Church Pike.

Analysis The property proposed for the IWD rezoning is vacant and is surrounded by residentially zoned properties to the north, west and south with industrial and commercially zoned properties located in proximity to the north, south, across Brick Church Pike. There is a business park to the north and a storage facility to the south fronting Brick Church Pike. Rezoning this vacant portion of property to IWD will not only encourage the reuse of existing infrastructure, but will also strengthen

the existing character and pattern of industrial uses along Brick Church Pike.

The applicant has indicated an intention to sell the property to a light industrial user. There are five properties zoned R8 located within the IN policy area surrounding this site. Staff recommended to the applicant and Councilmember that all five properties be included within the rezoning to IWD so that the subject property would not be isolated among properties zoned R8.

The applicant indicated that they had great difficulty contacting the surrounding property owners to add them to this application and is moving forward with the rezoning of this property on its own. Furthermore, the Councilmember expressed his desire to rezone each property individually to maintain accountability for the types of uses that will occur on each property.

As this property is surrounded by properties zoned R8, a standard D Landscape Buffer Yard will be required if the portion of this property is rezoned and developed. A standard C Landscape Buffer Yard will be required on the adjacent residential properties if they are developed as residential if the IWD is approved on this property.

**PUBLIC WORKS RECOMMENDATION** A Traffic Impact Study may be required at development.

Typical Uses in Existing Zoning District: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	7.4	5.79 D	42 Lots	402	32	43

Typical Uses in Proposed Zoning District: **IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	7.4	0.170 F	54,798 Sq. Ft.	196	17	18

Traffic changes between typical: **R8 and IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	7.4	n/a	n/a	-206	-15	-25

Maximum Uses in Existing Zoning District: **R8**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached(210)	7.4	5.79 D	42 Lots	402	32	43

Maximum Uses in Proposed Zoning District: **IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	7.4	0.8 F	257,875 Sq. Ft.	919	78	83



Traffic changes between maximum: **R8 and IWD**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	7.4	n/a	n/a	+517	+46	+40

**STAFF RECOMMENDATION** Staff recommends approval as the proposed IWD rezoning is consistent with the IN policy of the community plan and existing pattern of industrial uses along Brick Church Pike.

Approved, (10-0) *Consent Agenda*

**Resolution No. RS2009-107**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009Z-029PR-001 is **APPROVED. (10-0)**

**The proposed IWD district is consistent with the Bordeaux – Whites Creek Community Plan’s Industrial policy.”**

**X. PUBLIC HEARING: REVISED SITE PLANS**

**9. 2006IN-001-001**

Lipscomb University IO  
 Map: 117-16 Parcels: various  
 Green Hills/Midtown Community Plan  
 Council District 25 – Sean McGuire  
 Staff Reviewer: Greg Johnson

A request for a minor modification of a portion of the preliminary plan for the Lipscomb University Institutional Overlay district for various properties located east of Belmont Boulevard (approximately 9.5 acres), zoned R10, to revise the location of several proposed buildings, requested by Tuck-Hinton Architects, applicant, for Lipscomb University, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Preliminary Plan Revision**

Revise the master plan to relocate several buildings. A request for a minor modification of a portion of the preliminary plan for the Lipscomb University Institutional Overlay district for various properties located east of Belmont Boulevard (approximately 9.5 acres), zoned R10, to revise the location of several proposed buildings.

**CRITICAL PLANNING GOALS N/A**

**PLAN DETAILS** This revision proposes to reorganize the layout of a future campus expansion in the northeast corner of the overlay boundary. The area is currently comprised of single-family dwellings. The adopted Lipscomb Institutional Overlay preliminary plan envisions educational buildings and an underground parking structure with surface parking surrounding an interior linear green space that would connect Grandview Drive to the existing Crisman Administration Building. The revision would rearrange the layout of these buildings, moving the parking structure from a location along Belmont Boulevard to an interior location adjacent to future educational and residential buildings. The linear green space would be interrupted by educational buildings through this rearrangement. However, the pedestrian connections offered by this green space would remain.

**Analysis** Although the proposed revision would reduce the continuity of planned open space in Lipscomb University expansion, it would enhance the relationship between the University and the surrounding neighborhood. The linear green space, as currently designed, is located mostly interior to the campus and connects Grandview Drive, a small local street, to the administration building. The placement of the front entrance to an educational building and a shallow open space at the termination of Glen Echo Drive will improve the visual connection between the Lipscomb University campus and the surrounding neighborhood. The current plan proposes an underground parking structure with surface parking at the

termination of Glen Echo Drive, which is an important connecting street between Belmont Boulevard and Hillsboro Pike. While this is a change to what was previously approved, it will “frame the street” by providing a focal point at the terminus of Glen Echo Drive.

#### **FIRE MARSHAL RECOMMENDATION**

1. Dead end fire mains over 600 feet in length are required to be no less than 10 inch in diameter. If
2. This is to be a public fire main, a letter from Metro Water is required excepting the length and size.
3. More than three stories above grade, Class I standpipe system shall be installed.
4. All fire department access roads shall be 20 feet minimum width and shall have an unobstructed vertical clearance of 13.6 ft.
5. No part of any building shall be more than 500 ft from a fire hydrant via an approved hard surface road.
6. Provide Civil Plans which show water mains, fire hydrants, the proposed flow from the fire hydrant with the highest elevation and most remote in this project, street access and topographic elevations.
7. Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of a non sprinklered building is located not more than 150 ft (46 m) from fire department access roads.
8. All new construction shall be protected by a fire hydrant(s) that comply with the 2006 edition of NFPA 1 table H. To see table H go to <http://www.nashfire.org/prev/tableH51.htm>
9. A fire department access road shall extend to within 50 ft of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.
10. All dead end roads over 150 ft. in length require a 100 ft. diameter turnaround, this includes temporary turnarounds. Temporary T-type turnarounds that last no more than one year shall be approved by the Fire Marshal’s Office.
11. This approval is for the concept plans only. The developer shall provide the Fire Marshal's office with additional details before the development plans can be approved.

#### **PUBLIC WORKS RECOMMENDATION** No exception taken

**STORMWATER RECOMMENDATION** Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with storm water management ordinance No. 78/840 and approved by The Metropolitan Department of Water Services. All Construction Drawings shall be approved prior to any construction / Final Site Plan approvals.

**STAFF RECOMMENDATION** Staff recommends approval of the modification to the master plan because the change will improve the visual and functional relationships between the Lipscomb University campus and the surrounding community.

#### **CONDITIONS**

1. Prior to building permit approval, Lipscomb University must provide information indicating that all ownership is consistent with Section 17.36.350 of the Metro Zoning Code.
2. Prior to issuance of building permits for the modified area in this application, a mandatory referral to close Crestview Dr., shall be approved by Metro Council.
3. This approval does not include any signs. Signs in institutional overlay districts must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal’s Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the Institutional Overlay 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 floor area be reduced.
6. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.

7. 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 Institutional Overlay plan. Failure to submit a corrected copy of the preliminary Institutional Overlay within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions, (10-0) *Consent Agenda*

**Resolution No. RS2009-108**

"BE IT RESOLVED by The Metropolitan Planning Commission that 2006IN-001-001 is **APPROVED WITH CONDITIONS. (10-0)**

**Conditions of Approval:**

1. Prior to building permit approval, Lipscomb University must provide information indicating that all ownership is consistent with Section 17.36.350 of the Metro Zoning Code.
2. Prior to issuance of building permits for the modified area in this application, a mandatory referral to close Crestview Dr., shall be approved by Metro Council.
3. This approval does not include any signs. Signs in institutional overlay districts must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. If the Institutional Overlay 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 floor area be reduced.
6. All development within the boundaries of this plan shall meet the requirements of the Americans with Disabilities Act.
7. 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 Institutional Overlay plan. Failure to submit a corrected copy of the preliminary Institutional Overlay within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission."

**10. 97P-026-001**

West End Station  
Map: 104-01-F Parcel: 900  
West Nashville Community Plan  
Council District 24 – Jason Holleman  
Staff Reviewer: Greg Johnson

A request to revise the preliminary plan and for final approval for the West End Station Residential Planned Unit Development located at 124 36th Avenue North, on the north side of Nebraska Avenue, zoned RS7.5 (5.17 acres), to reduce the number of townhouse units from 46 to 45 and to revise the layout of some proposed units, requested by Barge Waggoner Sumner & Cannon, Inc., applicant, for West End Station, LLC, owner.

**Staff Recommendation: Approve with conditions**

**APPLICANT REQUEST - Revise Preliminary PUD and Reduce the number of units to 45 and revise the layout of 5 units.**

A request to revise the preliminary plan and for final approval for the West End Station Residential Planned Unit Development located at 124 36th Avenue North, on the north side of Nebraska Avenue, zoned RS7.5 (5.17 acres), to reduce the number of townhouse units from 46 to 45 and to revise the layout of some proposed units.

**CRITICAL PLANNING GOALS** N/A

**PLAN DETAILS** This Residential PUD was originally approved in 1997, for 46 townhomes on 5.18 acres and was modified in 2004 to include a central open space and a garage for each unit. Construction of this project is mostly complete.

This revision request concerns the southwest portion of the PUD site. The approved plan shows 6 attached townhouse units facing 36<sup>th</sup> Avenue North (units 41-46). The revision proposes to reduce the number of units from 6 to 5 and to detach these units. In addition to this reduction, a minor reorganization of the parking area behind unit 41 is proposed.

The proposed changes are consistent with the approved plan. The reduction of one unit maintains the intent of the PUD.

**FIRE MARSHAL RECOMMENDATION**

1. Before a plat for one or two family buildings can be approved, plans must show location and results from fire hydrant(s) flow test, performed within 6 months with a minimum of 1000 gpm @ 20 psi available at fire hydrants.
2. All new construction shall be protected by a fire hydrant(s) that comply with the 2006 edition of NFPA 1 table H. To see table H go to (<http://www.nashfire.org/prev/tableH51.htm>)

**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. Remove existing STOP sign on one-way drive at Nebraska Ave.
3. Provide one-way signage where existing driveway intersects Nebraska Avenue.
4. Install other signage as shown on plan.

**NES RECOMMENDATION** Show public utility easements on civil site drawing and send copy back to NES for approval for recording.

**STAFF RECOMMENDATION** Staff recommends approval with conditions of the preliminary plan revision and final approval. The proposed changes are consistent with the approved plan. The reduction of one unit maintains the intent of the PUD.

**CONDITIONS**

1. All parking spaces shall be paved and marked according to requirements of the Metro Zoning Code (17.20.060G).
2. Remove existing STOP sign on one-way drive at Nebraska Ave.
3. Provide one-way signage where existing driveway intersects Nebraska Avenue.
4. Install other signage as shown on plan.
5. Show public utility easements on civil site drawing and send copy back to NES for approval for recording.
6. 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.
7. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.

8. 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.
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.
10. 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.
11. 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.
12. 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.

Approved with conditions, **(10) Consent Agenda**

**Resolution No. RS2009-109**

"BE IT RESOLVED by The Metropolitan Planning Commission that 97P-026-001 is **APPROVED (10-0).**"

**XI. OTHER BUSINESS**

11. New employee contract for David A. Edwards

Approved, **(10-0) Consent Agenda**

12. An employee contract renewal for Joni Priest.

Approved, **(10-0) Consent Agenda**

13. Historical Commission Report

14. Board of Parks and Recreation Report

15. Executive Director Reports

Mr. Bernhardt offered information on the new method that staff was using to prepare their reports for the Commission.

Mr. Bernhardt briefly explained the timeline associated with the 2010 Redistricting Plan in relation to the 2011 Council election.

Mr. Bernhardt then explained the issues that staff and the Commission continues to endure with infill development and redevelopment.

16. Legislative Update


Mr. McLean announced that Mr. Clifton, Dr. Cummings and Mr. Gee agreed to steer a committee to review the policies and procedures of the Commission.

**XII. ADJOURNMENT**

The Commission adjourned at 5:20 p.m.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

 The Planning Department does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of, its programs, services, and activities, or in its hiring or employment practices. For ADA inquiries, contact Josie Bass, ADA Compliance Coordinator, at 862-7150 or e-mail her at [josie.bass@nashville.gov](mailto:josie.bass@nashville.gov). For Title VI inquiries contact Shirley Sims-Saldana or Denise Hopgood of Human Relations at 880-3370. For all employment-related inquiries call 862-6640.