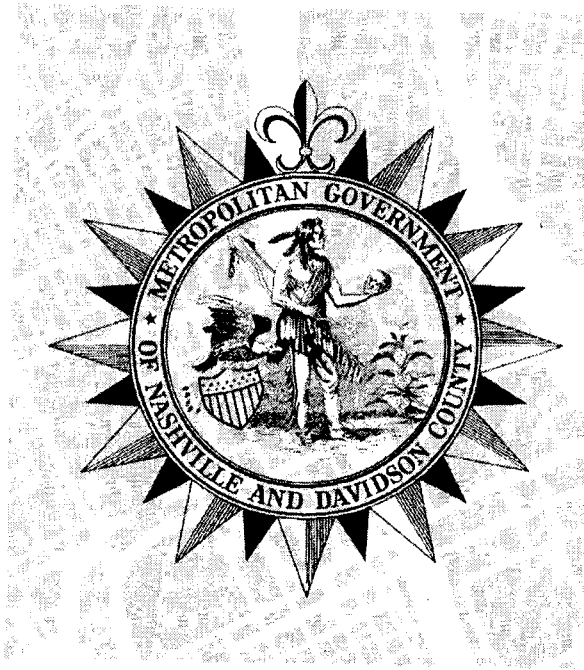


Metropolitan Planning Commission



Staff Reports

January 14, 2010

Mission Statement: The Planning Commission is to guide the future growth and development for Nashville and Davidson County to 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



2009S-108-001

J. J. Pryor's Subdivision, Resub. Lot 1 & Part of Lot 2, 1st Rev

Map: 083-02 Parcels: 246, 352, 353

East Nashville Community Plan

Council District 6 – Mike Jameson



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

2009S-108-001

J.J. Pryor Subdivision

6 - Jameson

5 - Porter

Alain Christopher Keenan, owner, Kirk Duclos, surveyor
Deferred from the December 10, 2009, Planning
Commission meeting.

Staff Reviewer
Staff Recommendation

Johnson

Defer to January 28, 2010, Planning Commission meeting

APPLICANT REQUEST

Final plat to create five lots.

Final Plat

A request for final plat approval to create five lots on properties located at 1703 Greenwood Avenue and at 1203 and 1205 Chapel Avenue, at the northeast corner of Greenwood Avenue and Chapel Avenue (1.43 acres), zoned One and Two-Family Residential (R6) and located within the Eastwood Neighborhood Conservation Overlay.

**Update for January 14, 2010
Planning Commission meeting**

At its December 10, 2009, meeting, the Planning Commission deferred this item to the January 14, 2010, meeting in order to allow the applicant to revise the layout of the proposed subdivision. Specifically, the Planning Commission suggested a reduction in the number of lots from five to four and the provision of a dedicated open space or park at the corner of Greenwood Avenue and Chapel Avenue. At the writing of this report, a revised plat had not been submitted. Deferral until the January 28, 2010, Planning Commission meeting will allow the applicant to submit a revised plat with sufficient time for review by the necessary Metro Departments, including the Metro Historic Zoning Commission staff and Metro Public Works. The applicant has requested to defer this request to the January 28, 2010, meeting.

STAFF RECOMMENDATION

Staff recommends deferral of this request to the January 28, 2010 Planning Commission meeting. This will allow the applicant to submit a revised plat with sufficient time for review by the necessary Metro Departments.

PARCEL ID: DB-0000004700
NANCY & SAMUEL A. STRATTON
DB-00010125 0000223, R.O.D.C.

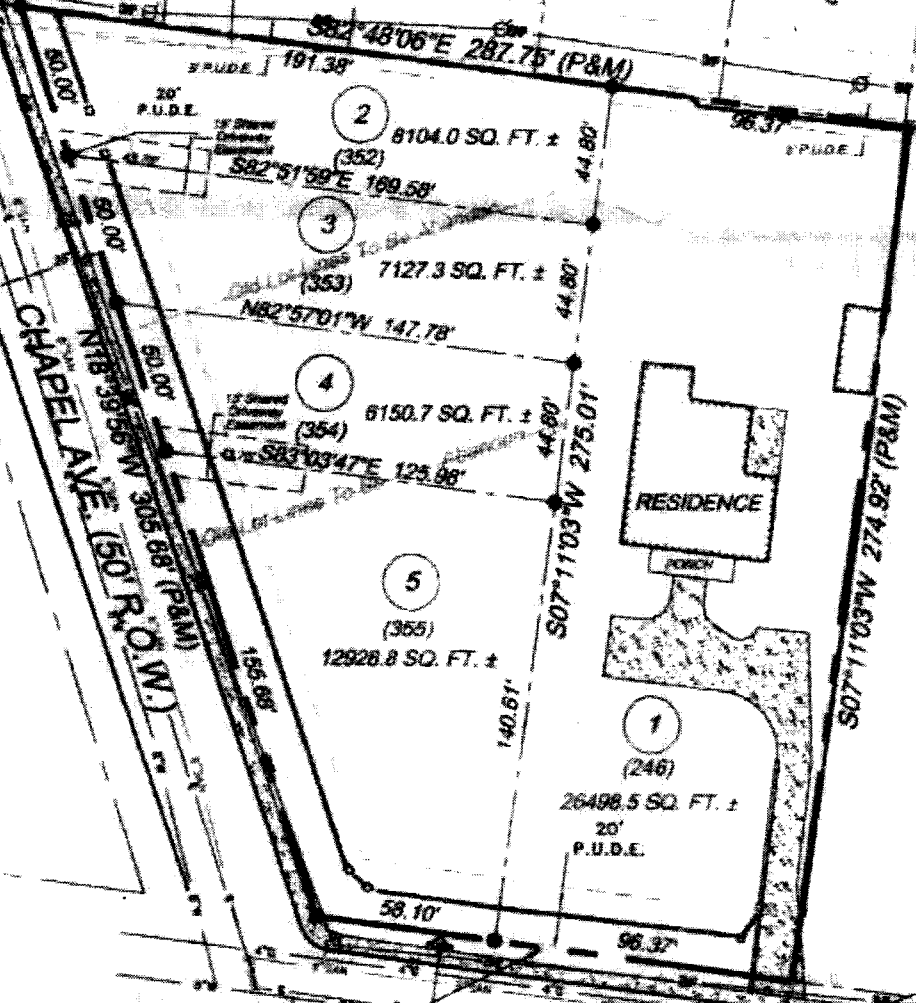
PARCEL ID: DB-0000004800
BLUFORD H. TAYLOR
DB-00010118 0004322, R.O.D.C.

PARCEL ID: DC-0000001016
JESSICA L. BRIDGEMAN
DB-00000110 0000814, R.O.D.C.

PARCEL ID: DB-0000002500
MITCHELL, DAVID G.
DB-00000008 0100000, R.O.D.C.

PARCEL ID: DB-00000025100
BRIDGET PILGRINGTON
DB-00011130 0130227, R.O.D.C.

PARCEL ID: DB-00000025200
FRANK W. HURD ETUX ELIZABETH E.
DB-00001778 0000102, R.O.D.C.



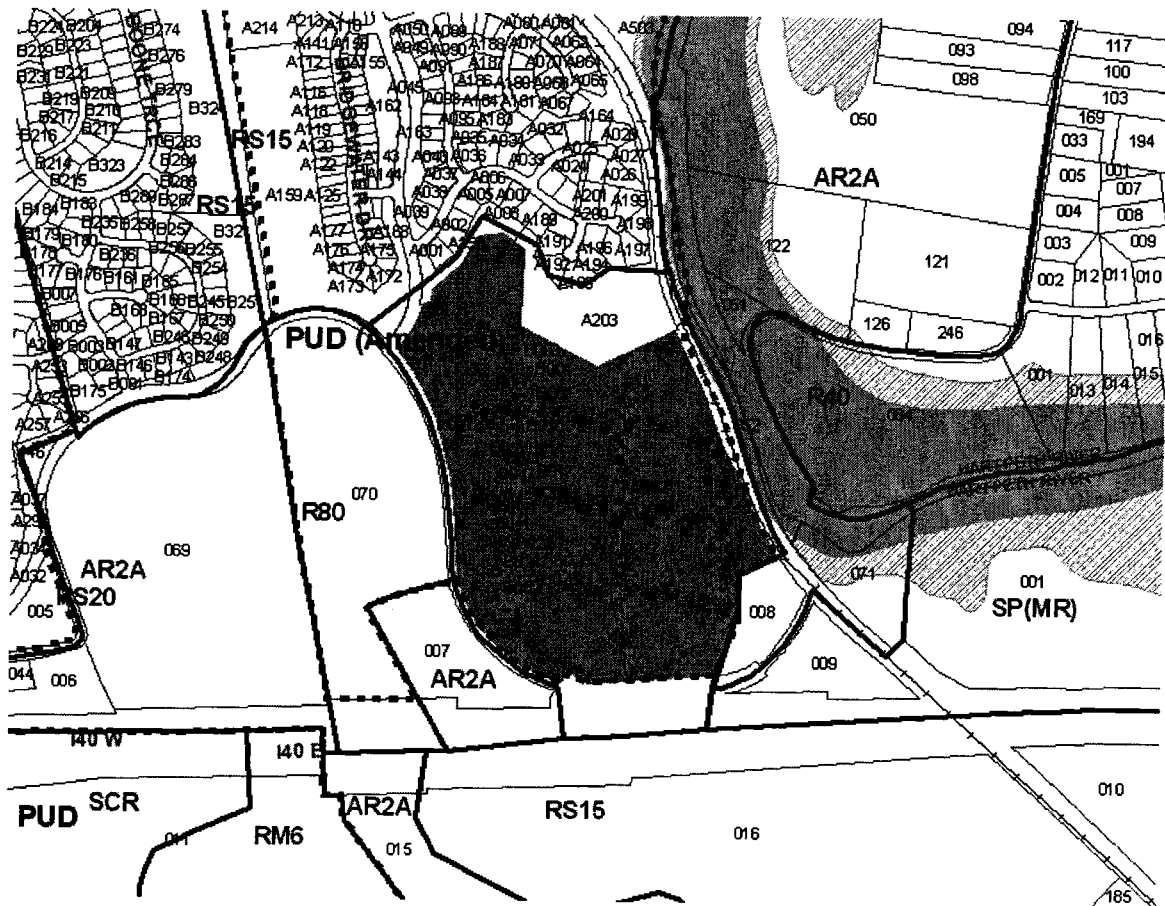
RESUBDIVISION OF LOT 3 AND PART
OF LOT 4
PLAN OF JAMES J. PRYOR'S HEIRS
SUBDIVISION
PB-11190, PG 108, R.O.D.C.

N82°51'17"W 154.47' (P&M)

GREENWOOD AVE. (50' R.O.W.)

EXISTING SIDEWALK

**COMMUNITY PLAN
AMENDMENT**



2009CP-006-001
 Ridgcrest At Riverwalk
 Map: 126-16-0-B Parcel: 062
 Bellevue Community Plan
 Council District 35 – Bo Mitchell



**Project No.
Request**

2009CP-006-001

Amend the *Bellevue Community Plan: 2003 Update*

**Associated Cases
Council District
School Districts
Requested by**

2007Z-184G-06 and 2000P-003G-06

35 – Mitchell

9 – Simmons

Planning Staff, for Councilman Bo Mitchell

**Staff Reviewer
Staff Recommendation**

McCaig

Approve

APPLICANT REQUEST

Amend the policy to apply Conservation policy.

Amend the Community Plan

A request to amend the *Bellevue Community Plan: 2003 Update* changing the land use policy from Residential Low Medium (RLM) to Conservation (CO) on approximately 58.62 acres at the southeast corner of Rivervalley Drive and Newsome Station Road.

CRITICAL PLANNING GOALS

•Preserves Sensitive Environmental Features

The proposed Conservation (CO) policy preserves sensitive environmental features that may be harmed through development. Through the application of CO policy, environmentally sensitive land features are kept in a natural state with minimal development to protect water quality, minimize infrastructure and public service costs, and preserve the unique environmental diversity of Davidson County, which is important to its healthy economy and overall sustainability.

BELLEVUE COMMUNITY PLAN

**Existing Policy
Residential Low Medium (RLM)**

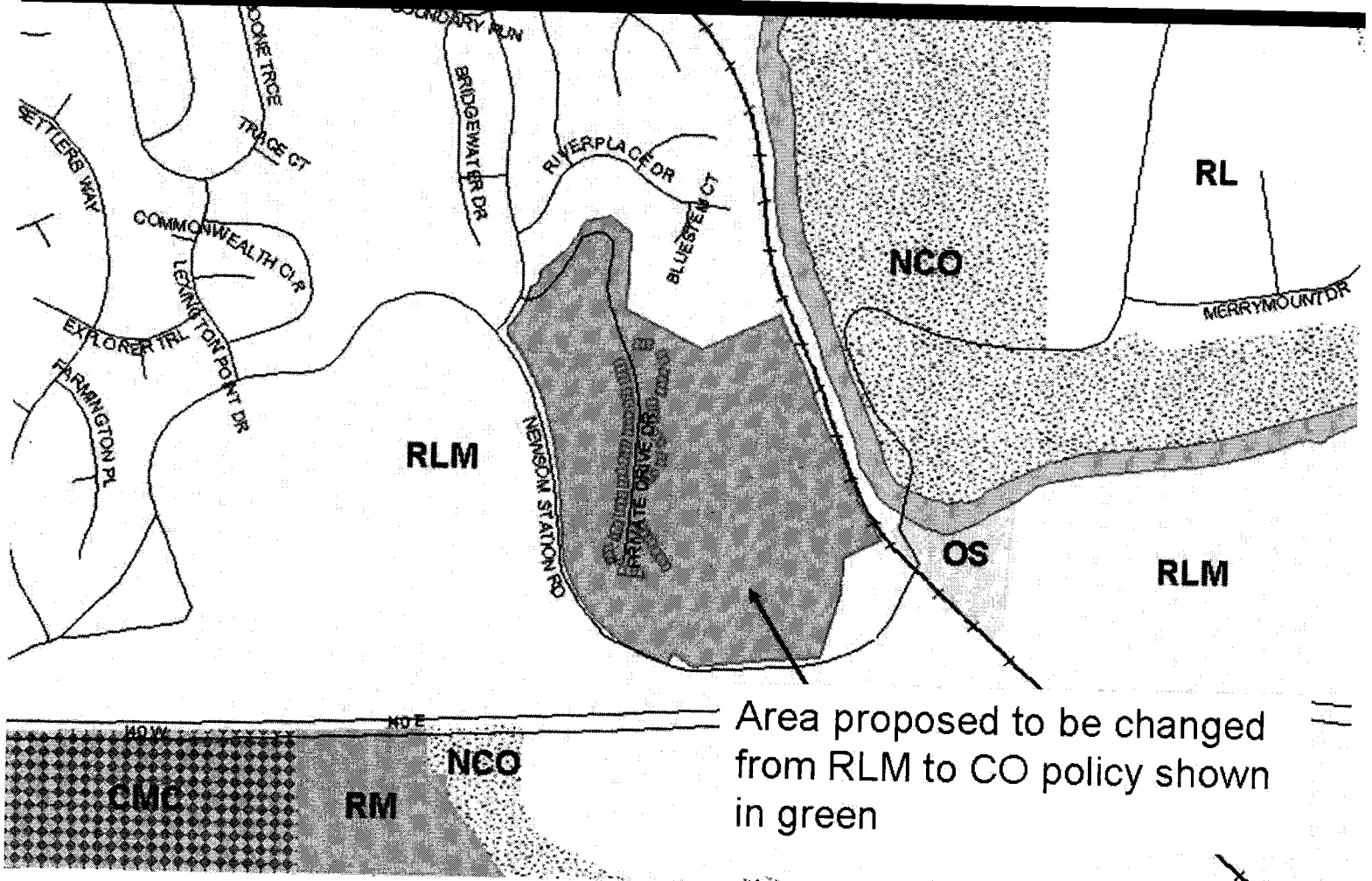
RLM policy areas are intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

**Proposed Policy
Conservation (CO)**

CO policy is intended to preserve and enhance environmentally sensitive land, such as the steep slopes found on this property, within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplain, rare or special plant or animal habitats, wetlands and unstable or problem soils.

CO policy encourages building form in character with the

2009CP-006-001 Bellevue Community Plan Amendment Request



Area proposed to be changed from RLM to CO policy shown in green



Metro Planning Commission Meeting of 1/14/2010

existing development pattern of the neighborhood to the extent that this character minimizes disturbance of existing environmental features. Any development on the site is grouped in order to preserve environmentally sensitive features. CO policy areas include the environmentally constrained features themselves along with any land lacking such constraints that must be accessed through the environmentally constrained land.

BACKGROUND

The *Community Character Manual* and its policies did not exist at the time the *Bellevue Community Plan* was updated in 2003. The request to rezone this property and cancel the PUD provided staff the opportunity to place a more appropriate policy on this location with its environmental constraints – Conservation community character policy.

COMMUNITY PARTICIPATION

Notification of the amendment request and the Planning Commission Public Hearing was posted on the Planning Department website and mailed to surrounding property owners and known neighborhood organizations within 500 feet of the subject site. Since this is a minor plan amendment, a community meeting is not required.

PHYSICAL SITE CONDITIONS

The site contains steep topography that poses a constraint to development. The site is also close to the Harpeth River.

Land Use

Surrounding land uses include undeveloped land, single-family residential and a park.

Access

The site has access to Rivervalley Drive, which intersects with Newsome Station Road.

Development Pattern

This area of Bellevue is primarily single-family homes and undeveloped land. This property is part of the Riverwalk development that contains approximately 400 single-family homes.

Historic Features

There are no recognized historic features associated with this site.

Conclusion

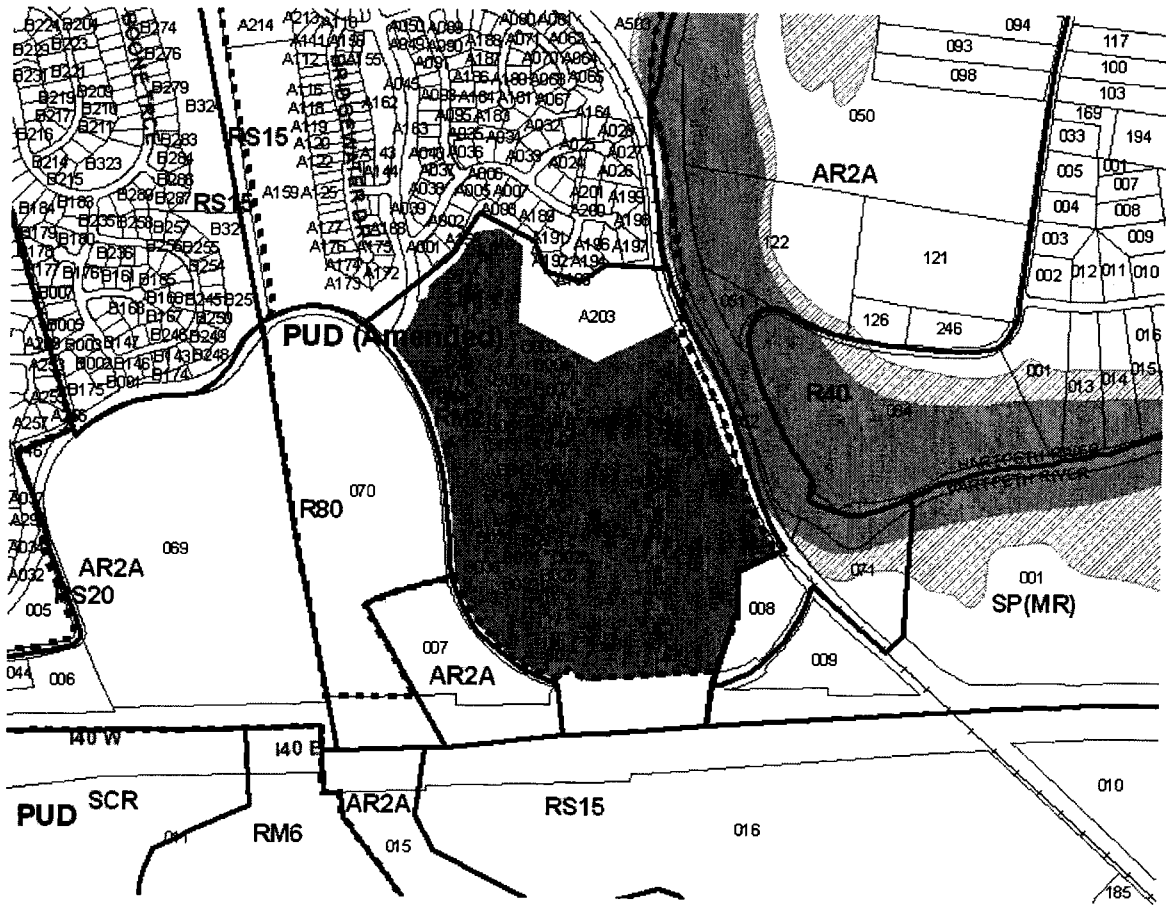
The requested amendment is in keeping with the goals and objectives of the *Bellevue Community Plan: 2003 Update*. The Bellevue Plan promotes the preservation of the community's natural features. One of the plan's goals is to prevent hilltops from being haphazardly razed, thereby preserving tree cover, sensitive soils, watersheds and view sheds.

STAFF RECOMMENDATION

Staff recommends approval.

SEE NEXT PAGE

**SPECIFIC PLANS,
ZONING MAP AMENDMENTS,
TEXT AMENDMENTS,
MANDATORY REFERRALS and PUDs**



2007Z-184G-06

Map: 126-16-0-B Parcel: 062
 Bellevue Community Plan
 Council District 35 – Bo Mitchell

2000P-003G-06

Riverwalk (PUD Cancellation)
 Map: 126-16-0-B Parcel: 062
 Bellevue Community Plan
 Council District 35 – Bo Mitchell



Project Nos:

Zone Change 2007Z-184G-06

Project Name

Planned Unit Development 2000P-003G-06

Associated Case

Riverwalk (PUD Cancellation)

Council District

2009CP-006-001

School District

35 - Mitchell

Requested by

9 - Simmons

Councilmember Bo Mitchell

Staff Reviewer

Swaggart

Staff Recommendation

Disapprove

APPLICANT REQUEST

Rezone property to RS40 and cancel PUD overlay.

Rezoning

A request to rezone from Multi-Family Residential (RM2) to Single-Family Residential (RS40) property located at 6000 Rivervalley Drive, at the southeast corner of Rivervalley Drive and Newsom Station Road and located within a Planned Unit Development Overlay (58.48 acres).

Cancel PUD

A request to cancel a portion of the Riverwalk Planned Unit Development district located at 6000 Rivervalley Drive, at the southeast corner of Rivervalley Drive and Newsom Station Road, zoned RM2, (58.48 acres), approved for 61 multi-family dwelling units.

Existing Zoning

RM2 District

RM2 is intended for single-family, duplex, and multi-family dwellings at a density of 2 dwelling units per acre. *Under the PUD Overlay the property is limited to 61 multi-family units.*

Proposed Zoning

RS40 District

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. *The RS40 district would permit a maximum of 54 single-family cluster lots on 58.48 acres.*

CRITICAL PLANNING GOALS

N/A

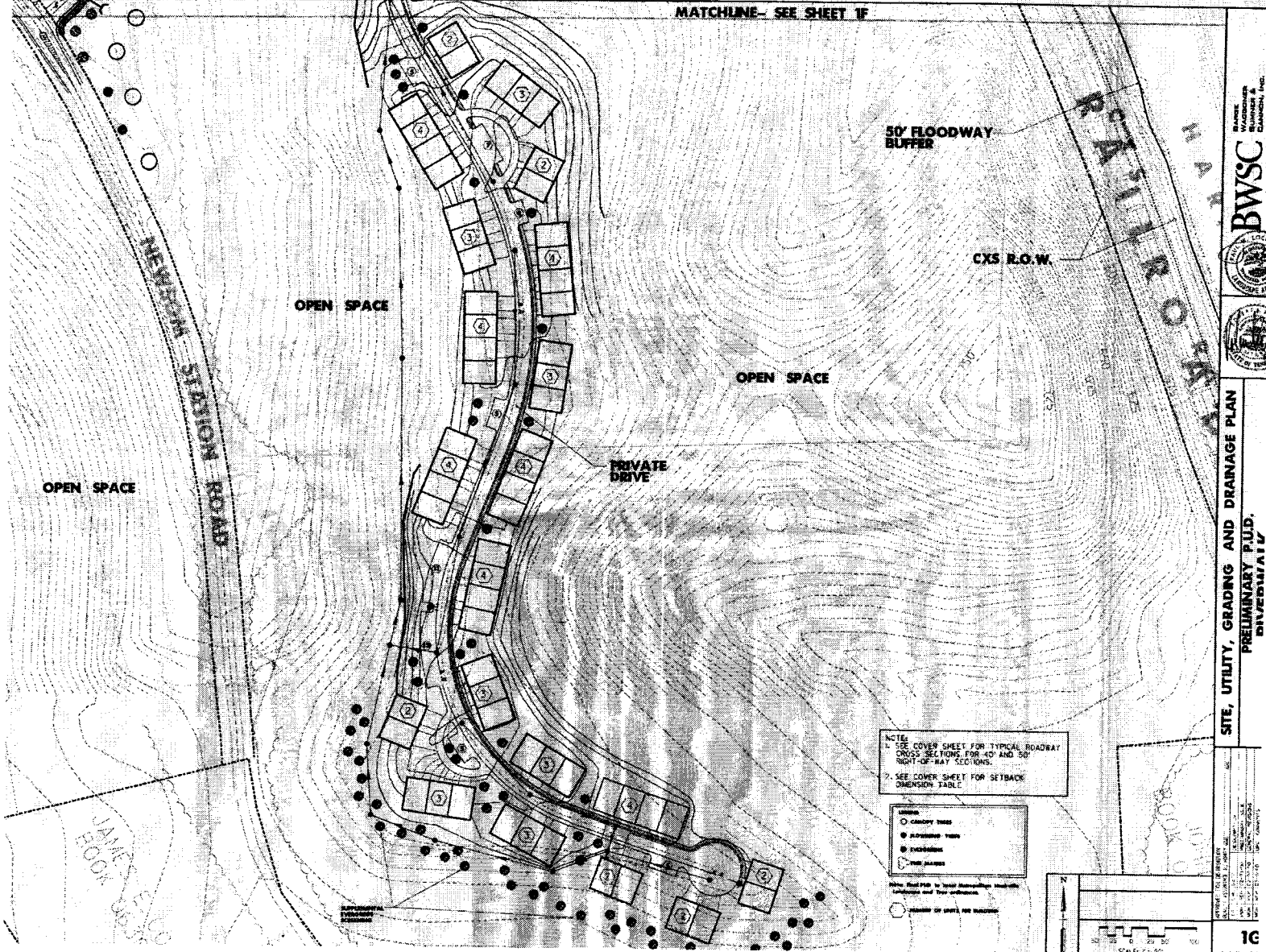
**BELLEVUE
COMMUNITY PLAN**

Existing Policy

Residential Low Medium (RLM)

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

MATCHLINE - SEE SHEET 1F



NOTE:
 1. SEE COVER SHEET FOR TYPICAL ROADWAY CROSS SECTIONS FOR 40' AND 50' RIGHT-OF-WAY SECTIONS.
 2. SEE COVER SHEET FOR SETBACK DIMENSION TABLE.

- LEGEND
- CANOPY TREES
 - RETENTION TREES
 - ⊙ MAIL BOXES
 - ⊔ MAIL PASSAGES

Notes: Read P&I to find corresponding sheet titles, tabulations and true conditions.





Metro Planning Commission Meeting of 1/14/2010

Proposed Policy Conservation (CO)

CO policy is intended to preserve and enhance environmentally sensitive land within all Transect Categories except T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands and unstable or problem soils.

Consistent with Policy?

This portion of the PUD with one unit per acre is not consistent with the existing RLM policy because its density is lower than what is anticipated in the policy. Given the steep slopes on the site the density is however, appropriate for the site. This portion of the PUD is not entirely consistent with the proposed CO policy, but the PUD protects a majority of the environmentally sensitive areas (steep slopes), which would not be protected if the PUD were canceled. The proposed RS40 district would not provide any protection of the hillsides and is not consistent with the proposed CO policy. If the policy is changed from RLM to CO it will not have any effect unless the PUD is amended or canceled. Any future rezoning or PUD amendment would be required to be consistent with the CO policy.

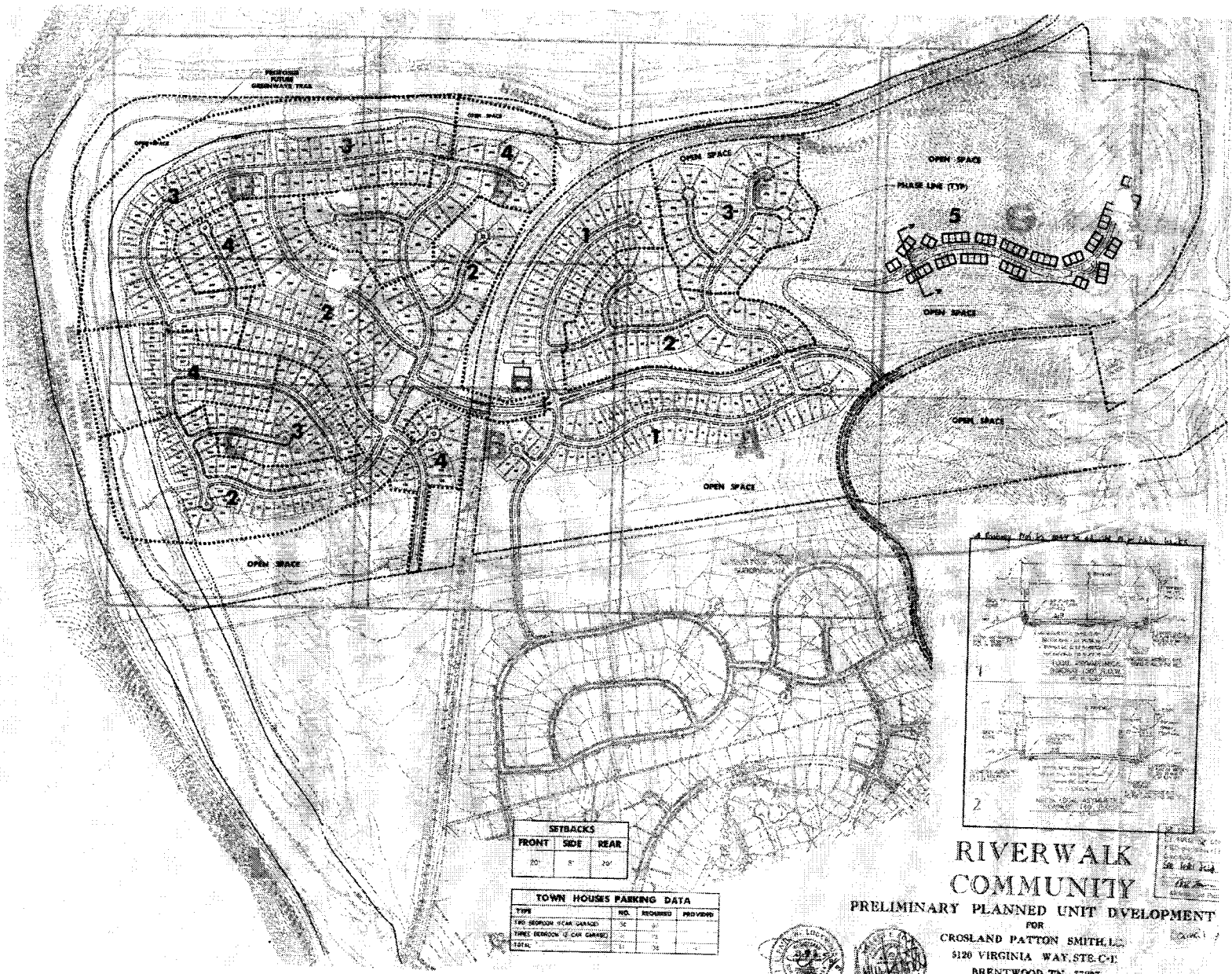
REQUEST DETAILS

This request is to rezone the property from Multi-Family Residential (RM2) to Single-Family Residential (RS40), and to cancel the PUD overlay. *It is important to note that this is not a request to perform a periodic review of the Planned Unit Development as specified in Section 17.40.120.H, and therefore, staff has not reviewed this request under the periodic section.*

The Riverwalk PUD was approved by Council in 2000 for 401 single-family lots, and 61 multi-family units. At the writing of this report, a majority of the single-family lots have been platted; however, the 61 multi-family units have not been constructed. While the multi-family units have not been constructed, a majority of the grading has been completed for those units. Other improvements, such as stormwater facilities, appear to be installed but are not completed.

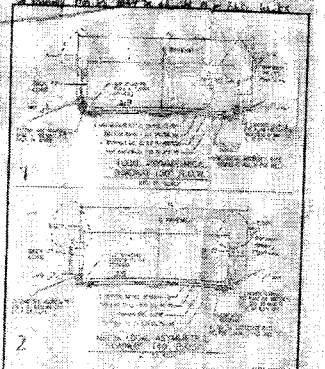
Staff Analysis

Staff is recommending disapproval of both requests. The current RM2 zoning with the PUD overlay permits only 61 multi-family units. No additional units could be constructed without Council approval, and any changes to the plan would require, at a minimum, Planning



SETBACKS		
FRONT	SIDE	REAR
20'	5'	20'

TOWN HOUSES PARKING DATA			
TYPE	NO.	REQUIRED	PROVIDED
TWO BEDROOM 2 CAR GARAGE	32	64	
THREE BEDROOM 2 CAR GARAGE	7	14	
TOTAL	39	78	



RIVERWALK COMMUNITY

PRELIMINARY PLANNED UNIT DEVELOPMENT

FOR
 CROSLAND PATTON SMITH, L.L.C.
 5120 VIRGINIA WAY, STE. C-1
 BRENTWOOD, TN 37187





Metro Planning Commission Meeting of 1/14/2010

Commission approval and may also require Council approval.

This portion of the PUD is on a large hill with very steep slopes and, with the exception of a private drive that snakes up to the top from Rivervalley Drive, development activity is limited to the top of the hill as shown on the final site plan. The gross density for this portion of the PUD is approximately one unit per acre, and 53.65 (92%) of the total 58.48 acres is in open space.

Rezoning the property to RS40 and canceling the PUD, would permit the land to be subdivided into single-family lots and would require disturbance of areas now in open space. The RS40 district would permit a maximum of 54 single-family lots. Because of the steep slopes it is very unlikely that 54 lots would be possible at this location, however, removing the PUD and rezoning to RS40, would eliminate most protections for the hillsides and could open the door for mass grading of the site in preparation for the development of single-family lots.

The existing PUD provides more protection of the steep slopes than a RS40 zoning district. Since the PUD provides more protection of the hillsides and since the land has been graded and partially developed, then staff recommends that both requests be disapproved.

PUBLIC WORKS RECOMMENDATION

Maximum Uses in Existing Zoning District: RM2/PUD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Attached (210)	58.48	-	61 U*	660	53	69

*Based on approved PUD plan

Maximum Uses in Proposed Zoning District: RS40

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Townhomes (230)	58.48	0.93 D	54 L	377	32	37

Traffic changes between maximum: RM2/PUD and proposed RS40

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-283	-21	-32



Metro Planning Commission Meeting of 1/14/2010

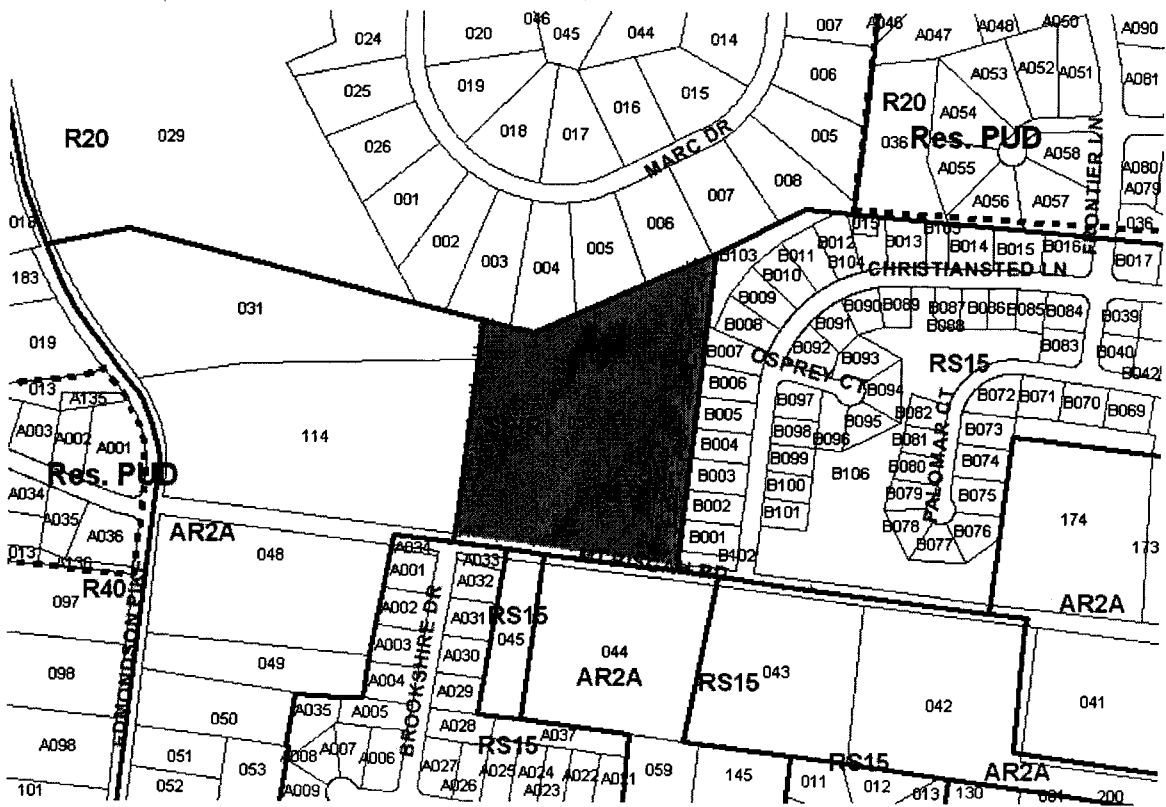
STORMWATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends that both requests be disapproved. The existing PUD provides more protection for the steep slopes than if the PUD were canceled and rezoned to RS40.

SEE NEXT PAGE



2007SP-057-001
 Parkside (Amend #1)
 Map: 172-00 Parcel: 032
 Southeast Community Plan
 Council District 31 – Parker Toler



Project No.
Project Name
Council District
School District
Requested by

2007SP-057-001
Parkside SP
31 - Toler
6 - Johnson
Anderson, Delk, Epps & Associates Inc., applicant, for
Regent Parkside LLC, owner

Staff Reviewer
Staff Recommendation

Johnson
Approve with conditions

APPLICANT REQUEST

Permit 31 single-family lots.

SP Amendment

A request to amend the Parkside Specific Plan District located at 5940 Mt. Pisgah Road, approximately 830 feet east of Edmondson Pike, (10.2 acres), zoned Specific Plan-Residential (SP-R), to permit 31 single-family dwelling units where 30 were previously approved.

Existing Zoning
SP-R District

Specific Plan-Residential is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type. *The amended Specific Plan proposes one additional residential lot from the current zoning and also proposes changes in the layout of the proposed lots.*

CRITICAL PLANNING GOALS

N/A

**SOUTHEAST
COMMUNITY PLAN POLICY**

Residential Low Medium (RLM)

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

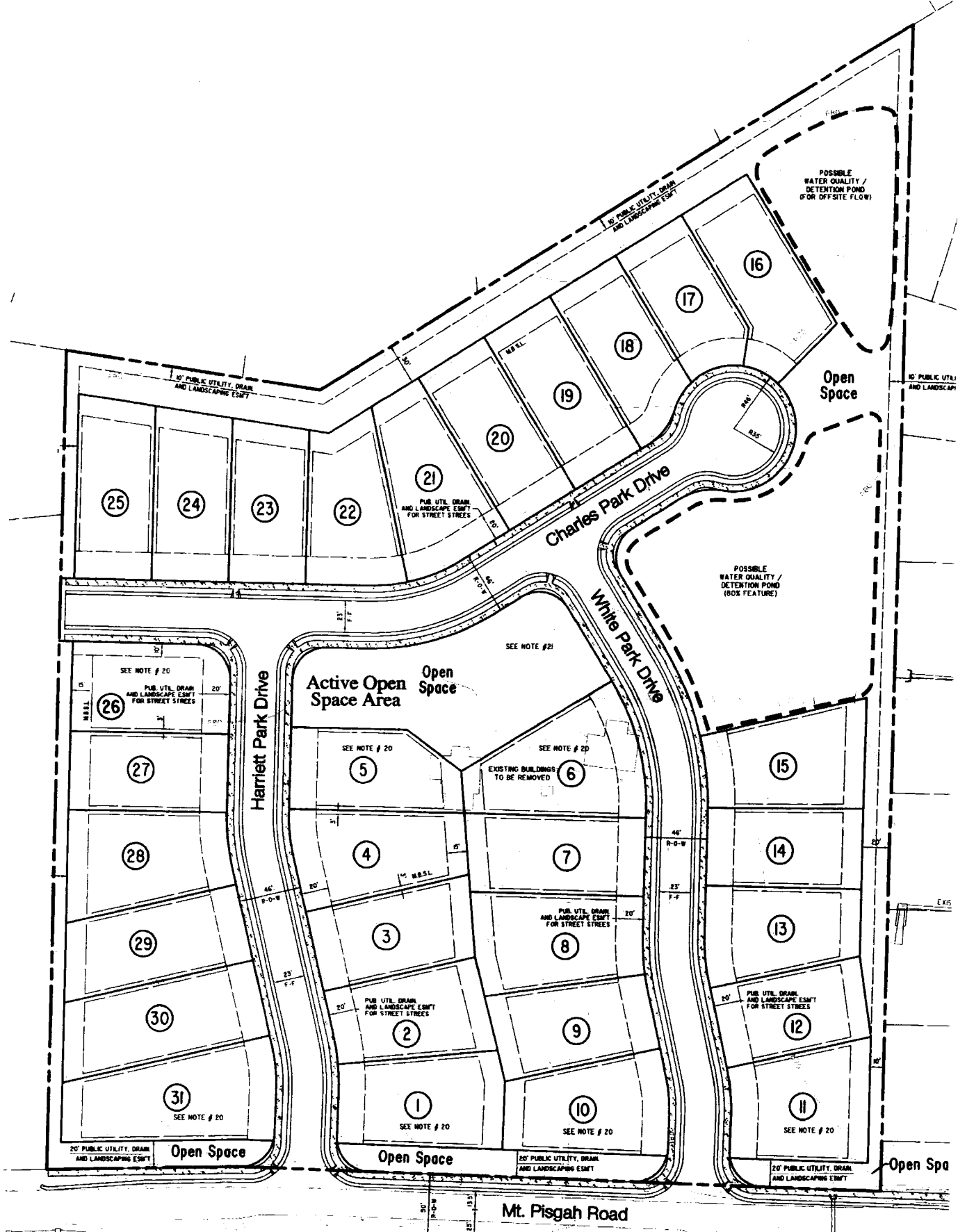
Consistent with Policy?

Yes. The requested rezoning is for a single-family dwelling unit development at a density of 3.24 units per acre.

PLAN DETAILS

Previous approval

The existing SP zoning was approved by the Planning Commission in April 2007, and by Metro Council in August 2007. It included 30 single-family lots with a minimum lot size of 4,400 square feet. All lots provided



Brookshire Drive

RS-15
BRENTWOOD COVE
NSTR #20010201-0009801
①

RS-15
MAP 172, PARCEL 45
JOHN A. & KAREN I. WILLIAMS
NSTR NO 20010406-0033919
R.O.C. TENN.

Ar2a
MAP 172, PARCEL 44
DOUGLAS & DAWN SCHENKEL
NSTR NO 20050803-0091071
R.O.C. TENN.



Metro Planning Commission Meeting of 1/14/2010

Current proposal

vehicular access through a private alley system along the rear of each lot.

The proposed site plan departs from the previously-approved design in several aspects:

- Proposed lot sizes are larger than previously approved.
- The plan calls for 31 single-family lots with a minimum lot size of 5,000 square feet.
- Vehicular access will be from a driveway connection to the public street along the lot frontage, not through a rear alley as previously approved.
- The amount of open space within the site plan has been reduced, but remains in a central and relatively flat location within the project site.
- A revised street system will provide two public street connections to Mt. Pisgah Road, where one was previously approved.

A public street stub to the undeveloped property to the west will remain, allowing for a future connection. The proposed building materials also remain the same and will consist of brick, stone and Hardie siding with aluminum trim and gutters and asphalt shingles. Lots 1, 10, 11, and 31 will have the side of the houses facing onto Mt. Pisgah Road. The applicant has proposed that each of these lots will have a house with wraparound porches with one side to Mt. Pisgah Road. The applicant will need to provide drawings of the architectural features that are proposed.

As part of the Southeast Community Plan, the Planning Commission has adopted an "Infrastructure Deficiency Area" (IDA). The IDA identifies an area where the Commission has determined that infrastructure is insufficient to accommodate expected new development in the area. The site for the Parkside SP has been determined to be in the IDA. The applicant will be required to provide 132.6 linear feet of roadway improvements within the IDA including adding a left turn lane at Mt. Pisgah and Edmonson Pike.

Analysis

The approved plan from 2007 included an alley-loaded lot pattern that promoted a continuous streetscape along the front of each lot. An unbroken street frontage fosters a stronger pedestrian environment and visual continuity among buildings than a street frontage that is interrupted consistently with driveway entrances on each lot. The applicant proposes several requirements to mitigate any loss of streetscape continuity including a limit on the number of lots with street-facing garages, a provision for



Metro Planning Commission Meeting of 1/14/2010

shared driveways in certain locations, and building frontage requirements for lots adjacent to open space or Mt. Pisgah Road. In addition to these, several conditions of approval including garage and driveway standards have been added to improve streetscape continuity.

STORMWATER RECOMMENDATION

1. Discharge stormwater into an acceptable conveyance.
2. Any offsite runoff entering property shall be collected and transported within PUDE's.

PUBLIC WORKS RECOMMENDATION

1. Driveway connections shall be per Metro PW Standard Driveway Ramp ST-322.
2. Proposed canopy street trees shall be a species with a tap root system to prevent future damage to the sidewalk system.
3. Construct one half of street section PW ST-252 along Mt. Pisgah Road property frontage.
4. IDA Improvements to include adding a left turn lane at Mt. Pisgah and Edmonson Pk.

Maximum Uses in Existing Zoning District: SP-R

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)	10.2	-	30 L	288	23	31

Maximum Uses in proposed Amendment

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)	10.2	-	31 L	297	24	32

Traffic changes between maximum: SP-R and proposed Amendment

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+9	+1	+1

NES RECOMMENDATION

1. NES needs updated drawings paper and digital to compare with original job from 10/31/07.
2. NES has all paperwork and drawings signed and can be released to construction if there are no changes to original job.



Metro Planning Commission Meeting of 1/14/2010

3. **20-foot public utility easement required adjacent to public r-o-w.** Make drainage and common open space areas should be a public utility easement.
4. Any addition easements required that are not part of this parcel must be obtained by the developer or the engineer for the developer.
5. NES can meet with developer/engineer upon request to determine electrical service options
6. NES needs any drawings that will cover any road improvements to Metro r-o-w that Public Works will require.
7. NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
8. NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
9. All street lighting shall meet Metro/NES requirements and conduit must be installed by developer – NES needs locations of bases for conduit stub-outs to those general areas.

METRO SCHOOL BOARD REPORT

Projected student generation

Schools Over/Under Capacity

3 Elementary 2 Middle 2 High

Students would attend Granbery Elementary School, Oliver Middle School, or Overton High School. Granbery Elementary School and Oliver Middle School have been identified as being over capacity by the Metro School Board. There is no capacity for elementary school students within the cluster. There is capacity for middle students within the cluster.

The fiscal liability for three elementary students is \$60,000. This data is for informational purposes only and is not a condition of approval. This information is based upon data from the school board last updated September 2009.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed residential project is consistent with land use policy in terms of proposed uses and design.



Metro Planning Commission Meeting of 1/14/2010

CONDITIONS

1. Note 26 on the SP plan shall be changed to require that a maximum of 15 of the garages shall be front facing.
2. Where a garage door opening faces a street, the combined garage door opening shall not exceed 20 feet in width. Door panels shall be modest in scale and architecturally integrated with each dwelling unit.
3. The driveway width for each lot shall be 15 feet at the front property line. A driveway may widen beyond the front setback for each dwelling or within 20 feet of the garage face. In no case shall a driveway have a width of greater than 22 feet between the front property line and the front setback of the dwelling.
4. Building frontages shall clearly identify the primary pedestrian entrance toward the street, which shall be separate from vehicular entrances. Pedestrian entryways shall be 100 percent visible, oriented to and accessible from street/pedestrian plaza/parks.
5. For each lot where a garage door opening faces a street, the front setback of the garage face shall be at least 10 feet deeper than the front setback of dwelling space.
6. Canopy street trees shall be installed with a tap root system to prevent future damage to the sidewalk system.
7. Prior to recording of the final plat, the IDA requirements must be completed or bonded.
8. Prior to final site plan approval, building elevations for the single-family dwelling units proposed for lots 1, 10, 11 and 31, including specific architectural features (such as a door, side or front porch, and or dormers) that address Mt. Pisgah Road shall be approved by Planning Staff.
9. This SP is limited to single-family residential.
10. 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 RS5



Metro Planning Commission Meeting of 1/14/2010

zoning district for the Residential District at the effective date of this ordinance, which must be shown on the plan.

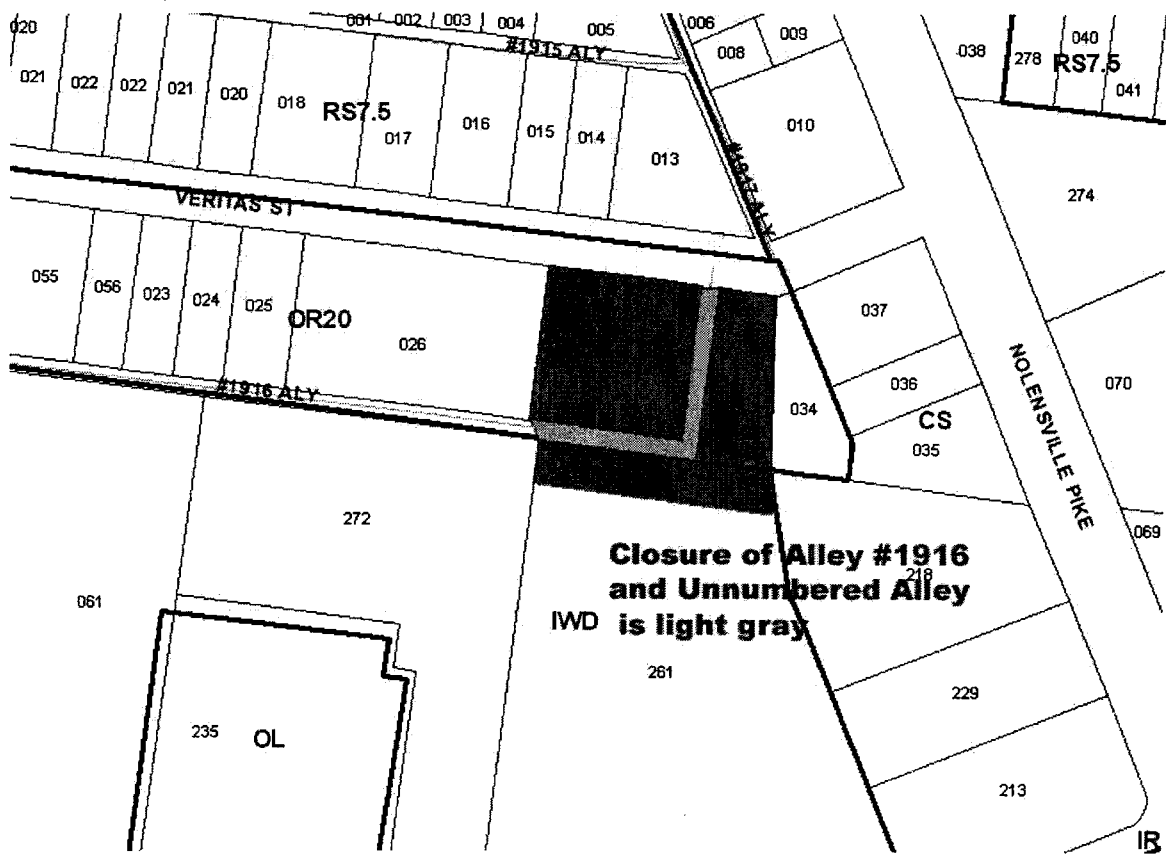
11. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metropolitan Department of Public Works for all improvements within public rights of way.
12. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
13. 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. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. 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.
14. 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.



Metro Planning Commission Meeting of 1/14/2010

15. 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



2009SP-015-001

Churches of Christ Disaster Relief
 Map: 133-06 Parcels:029, 030, 031, 271
 Map: 133-06 Parcels:PART OF 261
 South Nashville Community Plan
 Council District 16 – Anna Page

2009M-005AB-001

Alley No. 1916 and Unnumbered Alley Closure
 Map: 133-06 Parcels: 029, 030, 031, 261, 271
 South Nashville Community Plan
 Council District 16 – Anna Page



Project Nos.

Zone Change 2009SP-015-001

Project Name

Mandatory Referral 2009M-005AB-001

Council District

Churches of Christ Disaster Relief SP

School District

16 - Page

Requested by

7- Kindall

Dale & Associates, applicant, for Churches of Christ Disaster Relief Efforts, Inc., owner

Staff Reviewer

Bernards

Staff Recommendation

Approve the SP with conditions and approve the Mandatory Referral if the SP is approved with conditions.

APPLICANT REQUEST

Rezone to allow for office and warehouse and to abandon an alley.

Preliminary SP

A request to rezone from Office/Residential (OR20) and Industrial Warehousing/Distribution (IWD) to Specific Plan – Mixed Industrial (SP-MI) zoning for properties located at 401, 403, 405, and 407 Veritas Street and a portion of property located at 410 Allied Drive, approximately 160 feet west of Nolensville Pike (1.06 acres), to permit a one-story, office and warehouse addition to an existing warehouse facility located at 410 Allied Drive.

Alley Abandonment

A request to abandon an unnumbered alley and a portion of Alley No. 1916, including all utility easements, from its beginning to a point 160 feet west, located between Allied Drive and Veritas Street.

Existing Zoning

OR20 District

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

IWD District

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

Proposed Zoning

SP-MI 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 a mix of warehousing, distribution and general office uses.

CRITICAL PLANNING GOALS

N/A



**SOUTH NASHVILLE
COMMUNITY PLAN**

**Existing Policy
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.

Neighborhood General (NG)

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An 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.

South Radnor DNDP
Transition or Buffer (TB)

TB is intended to provide a transition from intense commercial activity to a more residential character. Uses should be residential in scale, character, and function, but may have a limited commercial or mixed-use component.

Consistent with Policy?

Yes. The office portion of the SP falls within the Office Transitional Buffer of the Radnor South Detailed Neighborhood Design Plan (DNDP). The objectives of this buffer include working with staff to determine appropriate character of new development to ensure a successful transition between the residential to the north and industrial to the south. Items to be considered include height, massing access, parking, signage, lighting and landscaping and buffering. The portion of the property within the IN policy will remain as a warehouse use.

Staff has worked with the applicant to develop elevations for the new office building and warehouse extension that provide an appropriate transition.

PLAN DETAILS

The proposed SP plan includes a general office building fronting onto Veritas Street with an expansion to an existing warehouse south of the office building. The proposed SP includes the office and warehouse extension and the remainder of the Churches of Christ Disaster Relief property will continue to be in the IWD zoning



Metro Planning Commission Meeting of 1/14/2010

district. The applicant has also submitted a request to consolidate all of the properties into one lot.

The setback on Veritas Street will reflect the setbacks of the existing houses to the west. A wrought iron fence with brick or stone pillars is proposed along Veritas Street. The plan proposes that the pillars be 5 feet in height and the wrought iron sections be 4 feet in height. To provide a better transition between the residential and office uses, staff recommends that this be reduced by a foot resulting in 4 foot pillars and 3 foot wrought iron sections. In addition, the plan includes a note that there will be a 7 foot swing gate at the pedestrian entrance but did not include an illustration. Prior to final site plan approval, the applicant will need to provide details of the gateway for staff review and approval including adjustments to the width to fit the new scale of the fence.

The applicant has provided elevations for the new building. Materials for these buildings include a brick façade for the portions facing Veritas street, a dark bronze metal roof and metal panels on the sides of the warehouse. The applicant has worked with staff in developing the elevations as required by the policy.

Development Phasing

The plan did not include a phasing schedule and staff is recommending that the project be developed in one phase. To ensure that the office component is constructed at the same time as the warehouse component, the Use and Occupancy permit for the office portion will need to be issued prior to or in conjunction with the Use and Occupancy permit for the warehouse portion.

Parking

Visitor parking for the office building will be accommodated with six spaces along Veritas Street. All employee parking will be accommodated on the existing lot accessed from Allied Drive. There are 52 parking spaces required for the entire Churches of Christ Disaster Relief complex and 79 spaces are provided. All on-site parking will be accessed from Allied Drive with only pedestrian access from Veritas Street.

Sidewalks

Sidewalks are shown along Veritas Street. In order to preserve two existing trees, the applicant has shown the sidewalk splitting at either end of the property. The applicant will need to work with the Public Works Department at the construction plan phase to design sidewalks that do not split so that the sidewalk can be



Metro Planning Commission Meeting of 1/14/2010

Landscaping

more easily extended with future development on the adjacent properties.

A B-3 landscape buffer is proposed along the western edge of the SP which is further separated from the adjacent OR20 zoned properties by a proposed 20 foot alley. A B-1 landscape buffer is proposed along the eastern edge of the SP; the adjacent zoning is CS. There is also landscaping proposed along the Veritas Street frontage.

Signage and Lighting

The plan did not include signage or lighting details. The signage of the SP will be limited to one sign, either a monument style or building mounted sign. A monument sign will be limited in size to a maximum of 3 feet tall by 4 feet wide. The base shall be constructed of brick or stone. A building mounted sign shall be no larger than 28 square feet.

In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs will include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.

The sign shall be externally lit with steady, stationary, down directed, light sources. A monument style sign may be lit from a ground lighting source. Any additional lighting of the Veritas Street frontage shall be limited to standard residential lighting.

Alley Abandonment

The SP plan includes the abandonment of an improved, unnumbered alley to the east of the properties and the portion of the unimproved Alley No. 1916 to the south. A newly dedicated alley on the west side of the property will connect to the remaining portion of Alley No. 1916. As noted above, the SP and IWD properties are to be consolidated into a single lot. The final plat will include a dedication of the proposed new alley location.

STORMWATER RECOMMENDATION

Preliminary SP approved.

FIRE MARSHAL RECOMMENDATION

- Additional information will be required before a building permit can be issued.
- 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



Metro Planning Commission Meeting of 1/14/2010

(<http://www.nashfire.org/prev/tableH51.htm>)

- All applicable fire codes shall be adhered to.

PUBLIC WORKS RECOMMENDATION

During construction plan phase, eliminate the fork in the sidewalk on Veritas Street to enable future extension of that sidewalk on adjacent properties.

Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.853	0.8 F	29,725 SF	525	72	113

Maximum Uses in Existing 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)	0.207	0.8 F	7,196 SF	26	3	3

Maximum Uses in Proposed Zoning District: SP-MI

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	-	-	4,200 SF	117	15	15

Maximum Uses in Proposed Zoning District: SP-MI

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	-	-	27,500 SF	98	9	9

Traffic changes between maximum: OR20 & IWD and proposed SP-MI

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-336	-51	-92

STAFF RECOMMENDATION

The SP is consistent with the South Radnor DNDP and the IN policies of the South Nashville Community Plan. Staff recommends approval with conditions of the SP. If the SP is approved with conditions, then staff also recommends that the request for the alley abandonment be approved.

CONDITIONS

1. Prior to the issuance of building permits, the properties included in the SP shall be consolidated into one lot



Metro Planning Commission Meeting of 1/14/2010

and the final plat shall include a dedication for an alley along the western property edge. The alley and required sidewalks shall be constructed or bonded prior to final plat recordation.

2. The stone pillars of the proposed fence shall be no taller than 4 feet and the wrought iron sections shall be not taller than 3 feet.
3. Prior to final site plan approval, details of the fence gateway shall be reviewed and approved by staff.
4. The Use and Occupancy permit for the office portion shall be issued prior to or in conjunction with the Use and Occupancy permit for the warehouse portion.
5. The Mandatory Referral shall be approved by Council prior to the recordation of the final plat.
6. Signs shall be limited to one monument style sign no larger than 3 feet tall by 4 feet wide or one building mounted sign no larger than 28 square feet.
7. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs shall include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs.
8. The sign shall be externally lit with steady, stationary, down directed, light sources A monument style sign may be lit from a ground lighting source. Any additional lighting of the Veritas Street frontage shall be limited to standard residential lighting.
9. During the construction plan phase, the applicant shall work with Public Works to eliminate the fork in the sidewalk on Veritas Street to enable future extension of that sidewalk to adjacent properties.
10. The uses for this SP are limited to warehouse, distribution and general office, with all vehicular warehouses to be from Allied Drive.
11. 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.



Metro Planning Commission Meeting of 1/14/2010

regulations and requirements of the IWD zoning district as of the date of the applicable request or application.

12. 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. The corrected copy provided to the Planning Department shall include printed copy of the preliminary SP plan and a single PDF that contains the plan and all related SP documents. 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.
13. 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.
14. 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.



2009SP-034-001
 Claims Unlimited
 Map: 061-11 Parcel: 156
 East Nashville Community Plan
 Council District 8 – Karen Bennett



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

Zone Change 2009SP-034-001
Claims Unlimited SP
None
8 – Bennett
5 – Porter
William J. Evans, applicant, for Russell B. Johns, owner

Staff Reviewer
Staff Recommendation

Sexton
Approve with conditions

APPLICANT REQUEST

Permit a single family residence and general office uses.

Preliminary and Final

A request to rezone from Single-Family Residential (RS7.5) to Specific Plan – Mixed Use (SP-MU) zoning and for final site plan approval for property located at 1022 Virginia Avenue, approximately 180 feet west of Gallatin Pike (0.13 acres), to permit a general office use within a single-family dwelling unit.

Existing Zoning
RS7.5 District

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

Proposed Zoning
SP-A 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 single family residential and general office uses.*

CRITICAL PLANNING GOALS

N/A

**EAST NASHVILLE
COMMUNITY PLAN**

Corridor Center (CC)

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

CASEMENT, FLUX IMPRESS AND LUTRESS SHALL BE PROVIDED ON LOT 23, MAP 61-11, PARCEL 157.

VIRGINIA AVENUE
 (40' R/W)

POINT OF BEGINNING

LOT 24
 MAP 61-11 PARCEL 155
 RODNEY CASSELL
 INSTR. #20050823-0100329

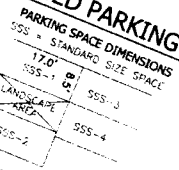
PART OF LOT 23
 MAP 61-11 PARCEL 157
 EDWARD A. ALTRICHTER, ET UX
 DEED BOOK 3406, PAGE 329

PART OF LOT 23
 MAP 61-11 PARCEL 158
 LEE TROY BAXTER, III, ET UX
 INSTR. #20060616-0072891

LOT 22
 MAP 61-11 PARCEL 159
 GEORGE T. SWINT, SR., ET AL
 BOOK 8261 PAGE 797

GARAGE AREA DETAIL
 EXISTING AREA:
 AREA "A" = GARAGE = 756 SQ. FT.
 PROPOSED ADDITION:
 AREA "B" = GARAGE/CARPORT = 120 SQ. FT.
 TOTAL AREA = 876 SQ. FT.

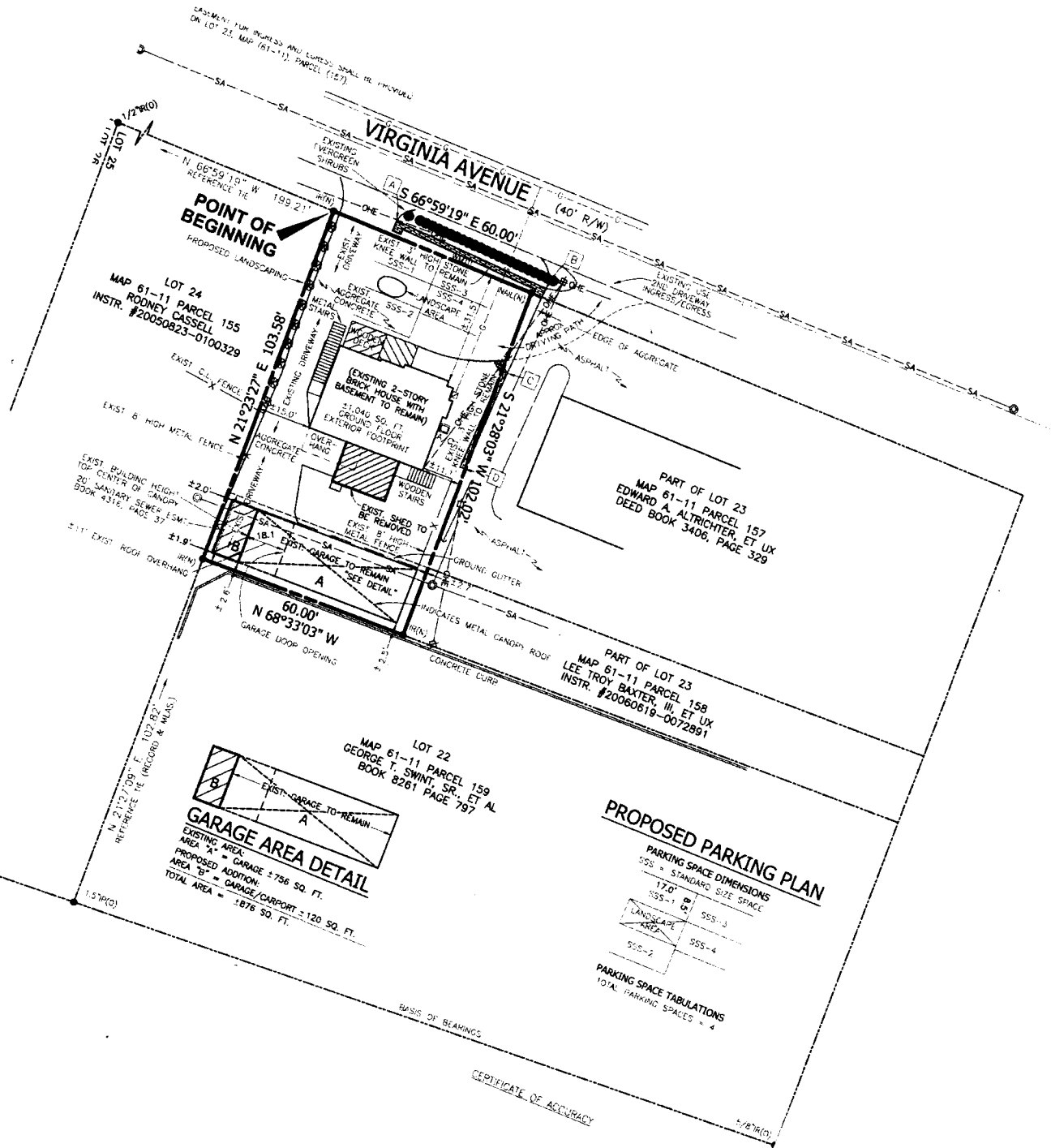
PROPOSED PARKING PLAN



PARKING SPACE TABULATIONS
 TOTAL PARKING SPACES = 4

CERTIFICATE OF ACCURACY

11/8/14(m)





Metro Planning Commission Meeting of 1/14/2010

Detailed Land Use Plan
Office (O)

Consistent with Policy?

assure appropriate design and that the type of development conforms with the intent of the policy.

Office is intended to include a variety of office uses. These offices will vary in intensity depending on the Structure Plan category.

Yes. The request to rezone the property from RS7.5 to SP-MU is consistent with the O in CC policy. Appropriate uses within this policy area include single family residential and office uses.

PLAN DETAILS

The property is approximately 0.14 acres in size. It is located west of Gallatin Pike along Virginia Avenue. The property is developed and consists of an existing one story single family residence and detached garage. This SP would permit a general office use, but it does not propose any additional built square footage beyond the existing residence and detached garage. A portion of the single family residence is currently being used as general office. The property owner has been cited by the Codes Department for the general office portion of the property being out of compliance with the existing RS7.5 zoning.

The proposed SP plan, which would allow the general office use to remain on this property, recognizes the existing land use and limits the expansion of the uses and the square footage of the buildings on the property. No outdoor sales or display of goods would be permitted on the property at any time. This SP allows only single family residential and general office. Any additions or exterior alterations will require approval by the Planning Commission, and may require Council approval.

Building

The existing residence is oriented towards Virginia Avenue and is set back approximately 31 feet from the public right of way. An existing one-story detached garage is located in the rear of the residence. The applicant originally built the garage without a building permit over an existing sanitary sewer line. A permit was recently issued for the construction of the garage and Metro Water Services has granted conditional approval of the encroachment. The conditional approval includes that the applicant will be held responsible for any damages to the garage that may occur upon the inspection and maintenance of the sanitary sewer line.



Metro Planning Commission Meeting of 1/14/2010

Access/Parking

Access to the site is from Virginia Avenue across the northwest portion of an adjacent property. At this time there is no access easement in place. The applicant will need to provide staff with a copy of an access easement from parcel 157 prior to the issuance of any Use and Occupancy permits. Sidewalks are already in place and the parking area in the front of the residence is paved. The plan proposes a total of four on-site parking spaces which meets the parking requirement of the Zoning Code.

Screening/Landscaping

The plan proposes two brick knee walls with a maximum height of three feet. The first is located along Virginia Avenue and the second is located along the eastern property line to provide additional screening for the parking area. A variety of shrubs and evergreen trees are proposed along the northwestern portion of the property line. An existing eight foot opaque fence is located on the east and west sides in the rear of the residence to provide additional screening of the garage area.

Signs

Sign details were not included in this SP. Sign elevations for any general office use will be required prior to any new use and occupancy permits. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. Signage shall be limited to a maximum of one 3 foot tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone. The sign shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

PUBLIC WORKS RECOMMENDATION

- All Public Works' design standards shall be met prior to permit issuance. Applicant shall monitor existing vegetation to ensure that adequate sight distance is maintained from the existing driveway onto Virginia Avenue.

Maximum Uses in Existing Zoning District: RS7.5

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)	0.13	4.94 D	1 L	10	1	2



Metro Planning Commission Meeting of 1/14/2010

Maximum Uses in Proposed Zoning District: SP-MU

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)	0.13	4.94 D	1 L	10	1	2

Maximum Uses in Proposed Zoning District: SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.13	-	992 SF	39	5	5

Traffic changes between maximum: RS7.5 and proposed SP-MU

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+39	+5	+5

WATER SERVICES RECOMMENDATION

The requirements of the Metro Water and Sewer Services Department must be met prior to Use and Occupancy permits.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the zone change request. The request is consistent with the O in CC policy of the community plan. Appropriate uses within O in CC policy areas include single family residential and office.

CONDITIONS

1. Any additions or exterior alterations to the property shall require approval by the Planning Commission, and may require Council approval. There shall be no outdoor sales or display of goods on the property at any time.
2. A copy of the access easement from map 61-11 parcel 157 shall be provided to staff prior to the issuance of any Use and Occupancy permits.
3. Sign elevations for general office uses shall be reviewed and approved by staff prior to any use and occupancy permits. Pole mounted signs are not permitted. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. Signage shall be limited to a maximum of one 3 foot



Metro Planning Commission Meeting of 1/14/2010

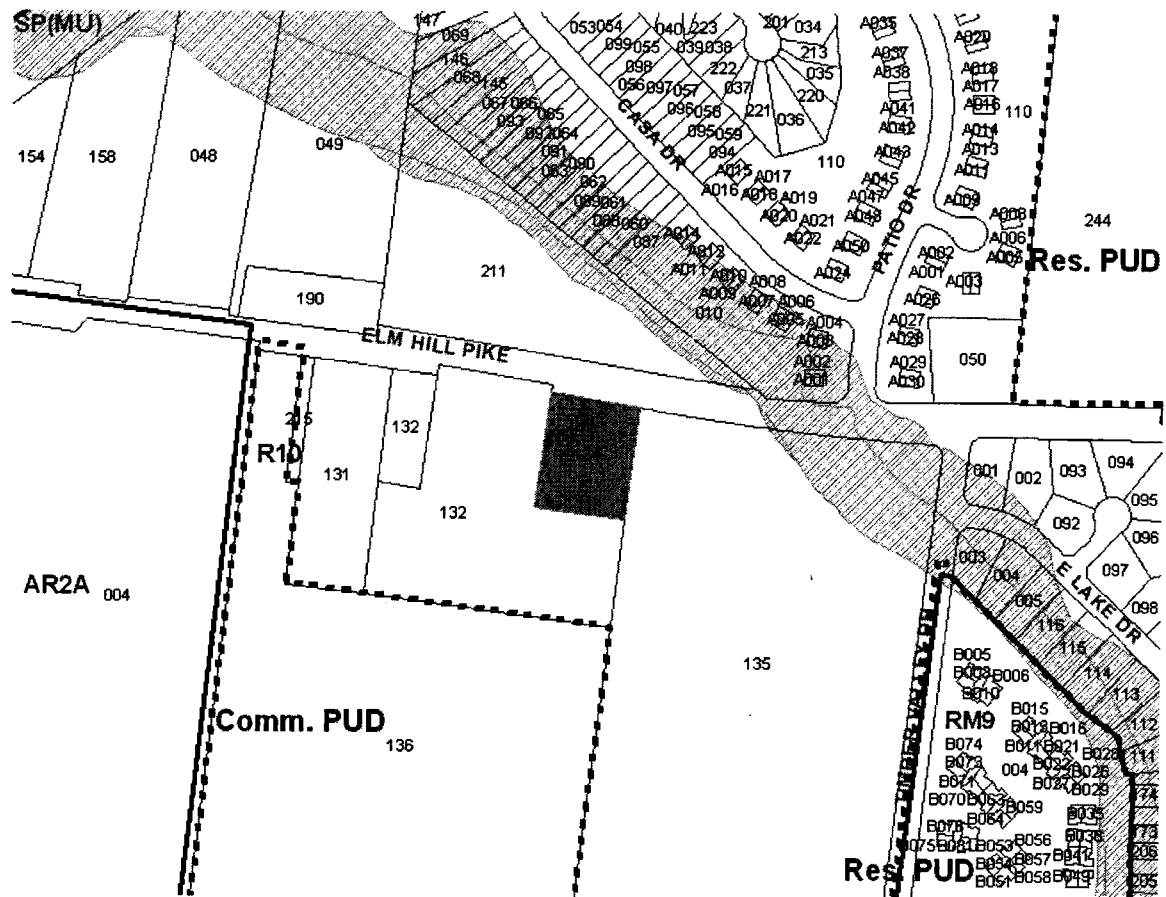
tall by 4 foot wide monument style sign. The base shall be constructed of brick or stone. The sign shall not be back-lit but may be spotlighted, or externally-lit. All light and glare shall be directed on-site to ensure surrounding properties are not adversely affected by increases in direct or indirect ambient light.

4. All Public Works' design standards shall be met prior to permit issuance. Applicant shall monitor existing vegetation to ensure that adequate sight distance is maintained from the existing driveway onto Virginia Avenue.
5. The requirements of the Metro Water and Sewer Services Department shall be met prior to the issuance of any Use and Occupancy permits.
6. This SP is limited to single family residential and general office uses.
7. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the residential uses on the property shall be subject to the standards, regulations and requirements of the RS7.5 zoning district and the general office uses on the property shall be subject to the standards, regulations and requirements of the ON zoning district as of the date of the applicable request or application.
8. A corrected copy of the SP final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after consideration by Planning Commission. If a corrected copy of the SP final site plan incorporating the conditions therein is not provided to the Planning Department within 120 days after the date of conditional approval by the Planning Commission, then the corrected copy of the SP final site plan shall be presented to the Metro Council as an amendment to this SP ordinance prior to approval of any grading, clearing, grubbing, or any other development application for the property.
9. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field



Metro Planning Commission Meeting of 1/14/2010

inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.



2009SP-035-001

Guaranteed Gutter & Siding

Map: 108-00 Parcel: 134

Donelson/Hermitage/Old Hickory Community Plan

Council District 13 – Carl Burch



Project No.
Project Name
Council District
School District
Requested by

2009SP-035-001
Guaranteed Gutter and Siding SP
13 - Burch
6 - Johnson
Walter Davidson & Associates, applicant, for David Rodriguez and Amanda Jean LaQuiere, owners

Staff Reviewer

Johnson

APPLICANT REQUEST

Approval for a commercial use and one residential dwelling.

SP zone change

A request to rezone from One and Two-Family Residential (R10) zoning to Specific Plan-Mixed Use (SP-MU) zoning and for final site plan approval for property located at 3089 Elm Hill Pike, approximately 2,000 feet east of I-40 (1.18 acres), to permit a building contractor supply, general office and a single-family dwelling unit.

Current Request

The applicant has withdrawn this application.

NO SKETCH



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2009Z-032TX-001
N/A
Countywide
Countywide
Councilmember Bruce Stanley

Staff Reviewer
Staff Recommendation

Regen
Disapprove

APPLICANT REQUEST

Allow cosmetologists and barbers as home occupation uses.

APPLICATION

A request to amend Section 17.16.250 of the Metro Zoning Code to permit cosmetologists and barbers as home occupations in residential zoning districts.

CRITICAL PLANNING GOALS

N/A

REQUEST

This request is to allow a cosmetologist or barber as a home occupation. The business would be allowed to have one chair in which to cut or style hair with no more than two customers on the premises at any one time.

Analysis

The current home occupation standards in the Zoning Code prohibit customers coming to the property from having a sign advertising the business. This proposed amendment would allow customers for a cosmetologist or barber, but no other home occupation (e.g. lawyer, accountant, bookkeeper). While the text amendment does not specifically permit signs, Chapter 62-4-126 of the Tennessee Code requires a sign identifying the barber or cosmetology shop. The law states the sign must be clearly visible from the street, yet provides no minimum or maximum sign dimensions.

STAFF RECOMMENDATION

Staff recommends disapproval of this proposed text amendment. The amendment would significantly change the existing home occupation standards. No other home occupation use would be allowed to have customers come to the home or to place a sign advertising the business. The amendment would essentially modify the Zoning Code to create a live-work situation for barbers and cosmetologists countywide.

SEE NEXT PAGE

CONCEPT PLANS



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

Subdivision 2007S-313G-12
Old Hickory Crossing
32 – Sam Coleman
2 - Brannon
Randall Smith and Corey and Lloyd Craig, owners

Staff Reviewer
Staff Recommendation

Swaggart
Approve

APPLICANT REQUEST

Permit the extension of concept plan approval.

Extend Concept Plan Approval

A request to permit the extension of an expired concept plan for one year from December 13, 2009, for the Old Hickory Crossing Subdivision for 117 single-family clustered residential lots located at Old Hickory Boulevard (unnumbered), at the southeast corner of Old Hickory Boulevard and Legacy Drive, zoned Single-Family Residential (RS10) (34.08 acres).

Zoning
RS10 District

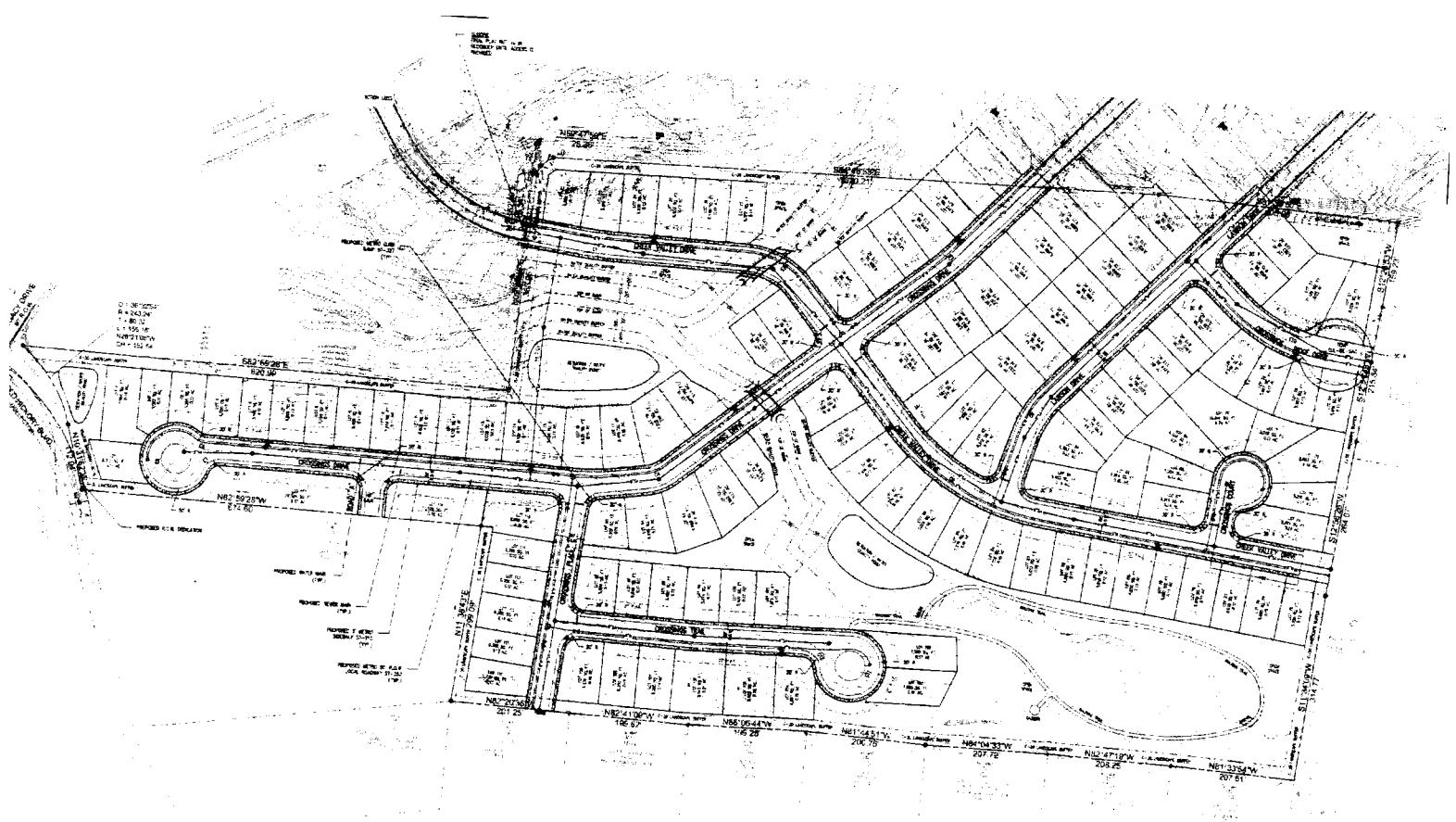
RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

SUBDIVISION DETAILS

This is a request to extend concept plan approval for Old Hickory Crossing subdivision. The property is located in Southeast Davidson County, and the plan includes 117 single-family cluster lots. The original preliminary plat for Old Hickory Crossing was approved by the Planning Commission on September 22, 2005, under the previous Subdivision Regulations. The preliminary expired on September 22, 2007, and the Planning Commission approved a new concept plan for the subdivision on December 13, 2007.

The concept plan approval expired on December 13, 2009. The Subdivision Regulations permits a one year extension of a concept plan approval, when the request is made prior to expiration, and when the Planning Commission deems such extension appropriate based upon progress made in developing the subdivision. While this request is being heard after the expiration, the request was made prior to the expiration and therefore, meets the timing requirement.

Information has been provided by the applicant to demonstrate that progress that has been made in the development of the subdivision. The information states that a total of \$177,484 has been spent on engineering fees, construction management fees and interest carry.





Metro Planning Commission Meeting of 1/14/2010

Staff Analysis

Erosion control measures have been installed and maintained, and off-site improvements are being discussed with Public Works.

The current subdivision plan meets all subdivision and zoning requirements. While actual construction has not taken place, the property owner is making progress to complete the subdivision. Since progress has been made and the plan is consistent with current requirements then staff recommends extending the concept plan approval for one year.

STAFF RECOMMENDATION

Staff recommends that the concept plan approval be extended for one year from December 13, 2009. If approved, the concept plan approval will be valid until December 13, 2010.

SEE NEXT PAGE

FINAL PLAT



2009S-027-001
Poplar Hill Subdivision (Final Plat Extension)
Map: 154-00 Parcel: 282
Bellevue Community Plan
Council District 35 – Bo Mitchell



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

Subdivision 2009S-027-001
Poplar Hill Subdivision
35 - Mitchell
9 - Simmons
Wyatt and Wendy Rampy, owners

Staff Reviewer
Staff Recommendation

Bernards
Approve a variance to 2-5.5 of the Subdivision Regulations for the extension of final plat approval for 90 days to March 22, 2010.

APPLICANT REQUEST

Permit the extension of a final plat approval.

Variance for Final Plat Extension

A request for a variance from Section 2-5.5 of the Subdivision Regulations to permit the extension of the final plat approval for 90 days for the Poplar Hill Subdivision for one lot at 8706 Poplar Creek Road, zoned Agricultural/Residential (AR2a) (7.1 acres).

Zoning
AR2a District

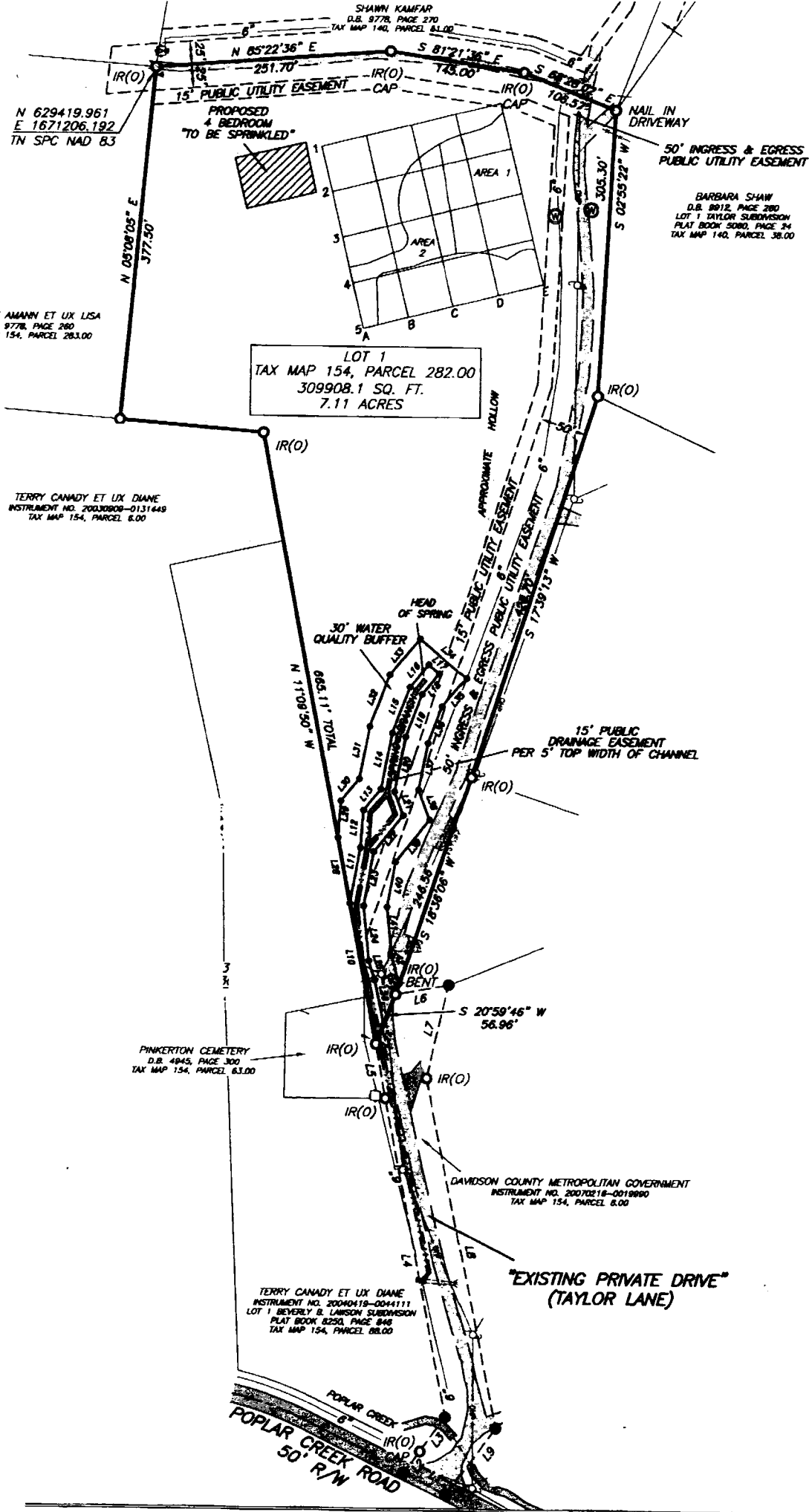
Agricultural/Residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a District is intended to implement the natural conservation or rural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

SUBDIVISION DETAILS

The purpose of the extension request is to permit the applicant to meet the Planning Commission's conditions of approval for this seven acre lot.

The lot is within a Natural Conservation Policy and is accessed from a private road within an access easement. The Subdivision Regulations allow up to 10 lots, five acres or greater, within the Natural Conservation or Rural land use polices, to be accessed from a private street (Section 3-9.3.c.1). As this will be the 13th improved property to take access from this private street, the Planning Commission granted a variance to Section 3-9.3.c.1 of the Subdivision Regulations on June 25, 2009.

The applicant agreed to construct a private street in the access easement to Metro standards (20 feet of pavement with two four-foot shoulders). The street will extend from Poplar Creek Road to the point where it meets the access driveway for the property. Construction plans have been approved by Public Works. The road, which will be on the applicant's property and a parcel of land currently owned



SHAWN KAMFAR
D.B. 9778, PAGE 270
TAX MAP 140, PARCEL 63.00

N 629419.961
E 1671206.192
TN SPC NAD 83

JEFFREY AMANN ET UX LISA
D.B. 9778, PAGE 260
TAX MAP 154, PARCEL 283.00

TERRY CANADY ET UX DIANE
INSTRUMENT NO. 20030909-0131649
TAX MAP 154, PARCEL 6.00

50' INGRESS & EGRESS
PUBLIC UTILITY EASEMENT

BARBARA SHAW
D.B. 8012, PAGE 280
LOT 1 TAYLOR SUBDIVISION
PLAT BOOK 5080, PAGE 34
TAX MAP 140, PARCEL 38.00

LOT 1
TAX MAP 154, PARCEL 282.00
309908.1 SQ. FT.
7.11 ACRES

30' WATER
QUALITY BUFFER

15' PUBLIC
DRAINAGE EASEMENT
PER 5' TOP WIDTH OF CHANNEL

PINKERTON CEMETERY
D.B. 4945, PAGE 300
TAX MAP 154, PARCEL 63.00

S 20°59'46" W
56.96'

DAVIDSON COUNTY METROPOLITAN GOVERNMENT
INSTRUMENT NO. 20070218-0018690
TAX MAP 154, PARCEL 6.00

"EXISTING PRIVATE DRIVE"
(TAYLOR LANE)

TERRY CANADY ET UX DIANE
INSTRUMENT NO. 20040419-0041111
LOT 1 BEVERLY B. LAMSON SUBDIVISION
PLAT BOOK 0250, PAGE 848
TAX MAP 154, PARCEL 08.00

POPLAR CREEK
50' R/W



Metro Planning Commission Meeting of 1/14/2010

by Metro, needs to be constructed or bonded prior to the recording of the plat.

The applicant is in the process of obtaining a bond but, because they do not own all of the property, cannot complete the process. Metro has declared its parcel surplus and is in the process of preparing to sell the property and does not want to be a party to the bond. The property will not be available to purchase for approximately six weeks. It is the applicant's intention to bid for the property. As the plat expiration date was December 22, 2009, the applicant requested a 90 day extension in order to complete the bond process. The request was received prior to the expiration date and January 14, 2010 meeting was the next scheduled Planning Commission meeting date. As the Subdivision Regulations do not include a process for final plat approval extensions, a variance to the 180 day approval period is needed.

Variance Requirements

Section 1-11.1 of the Subdivision Regulations states that the Planning Commission may grant variances to the regulations when it finds that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, provided that the variance does not nullify the intent and purpose of the regulations. It further states that findings shall be based upon the evidence presented in each specific case that:

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



Metro Planning Commission Meeting of 1/14/2010

Analysis

The intent of the regulation for which the variance is sought is to set a timeframe for approved plats to be recorded. The plat was approved by the Planning Commission on June 25, 2009 with an expiration date of December 22, 2009. Prior to the expiration date, the applicant requested a 90 day extension of the approval in order to be able to meet the conditions 1 and 3 of approval of this plat.

1. *The private road shall be brought up to Metro Public Works standards from Poplar Creek Road to the point where it intersects with the access drive serving this lot.*

3. *The road shall be constructed or bonded prior to the recording of the plat. Upon completion of the road, the road shall be inspected by Public Works or the applicant shall obtain a letter from a registered engineer certifying that the road has been constructed to Public Works standards.*

The granting of the variance will not nullify the intent of the regulation. In addition, staff finds the following as evidence for this variance consistent with Section 1-11.1, a – d above:

- a. The granting of the variance would not be detrimental to the surrounding area, but would actually improve the area as the portion of the road being brought up to Public Works standards will serve all lots taking access from this private street.

- b. There are no other subdivisions in the immediate area that are experiencing the same situation, and therefore, the conditions for which this variance is sought are unique to this development within this general area.

- c. The variance is not to a design standard of the regulations, but to a processing standard. Because the request is not a variance to a design standard then c. of Section 1-11.1 is not applicable.

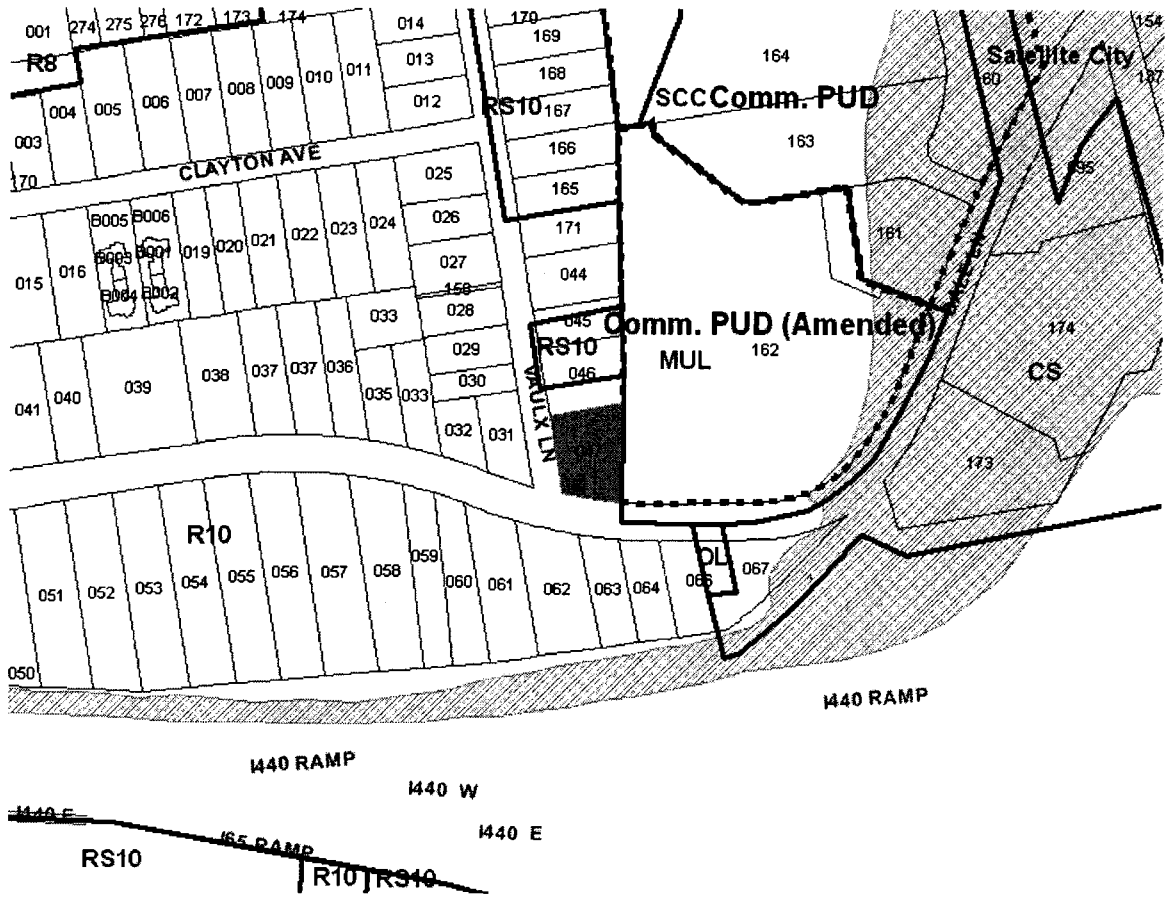
- d. The subdivision as previously approved is consistent with the area's long range policy, and current zoning requirements.



Metro Planning Commission Meeting of 1/14/2010

STAFF RECOMMENDATION

Staff recommends approval of the variance to Section 2-5.5, and that the final plat approval be extended for 90 days, from December 22, 2009, to March 22, 2010.



2009S-117-001
 Battlefield Estates, Resub. Lot 22b, Sec. 1
 Map: 118-06 Parcel: 047
 Green Hills/Midtown Community Plan
 Council District 17 – Sandra Moore



Project No.
Project Name
Council District
School District
Requested by

2009S-117-001
Battlefield Estates, Section 1 plat
17 - Moore
7 - Kindall
Core Development Services LLC, owner, Delle Land Surveying, surveyor

Staff Reviewer
Staff Recommendation

Johnson
Approve with a condition and an exception to the lot comparability requirements of Section 3.5 of the Subdivision Regulations

APPLICANT REQUEST

Final Plat to create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 834 Gale Lane, at the northeast corner of Gale Lane and Vaulx Lane (0.48 acres), zoned One and Two-Family Residential (R10).

PLAN DETAILS

Final Plat

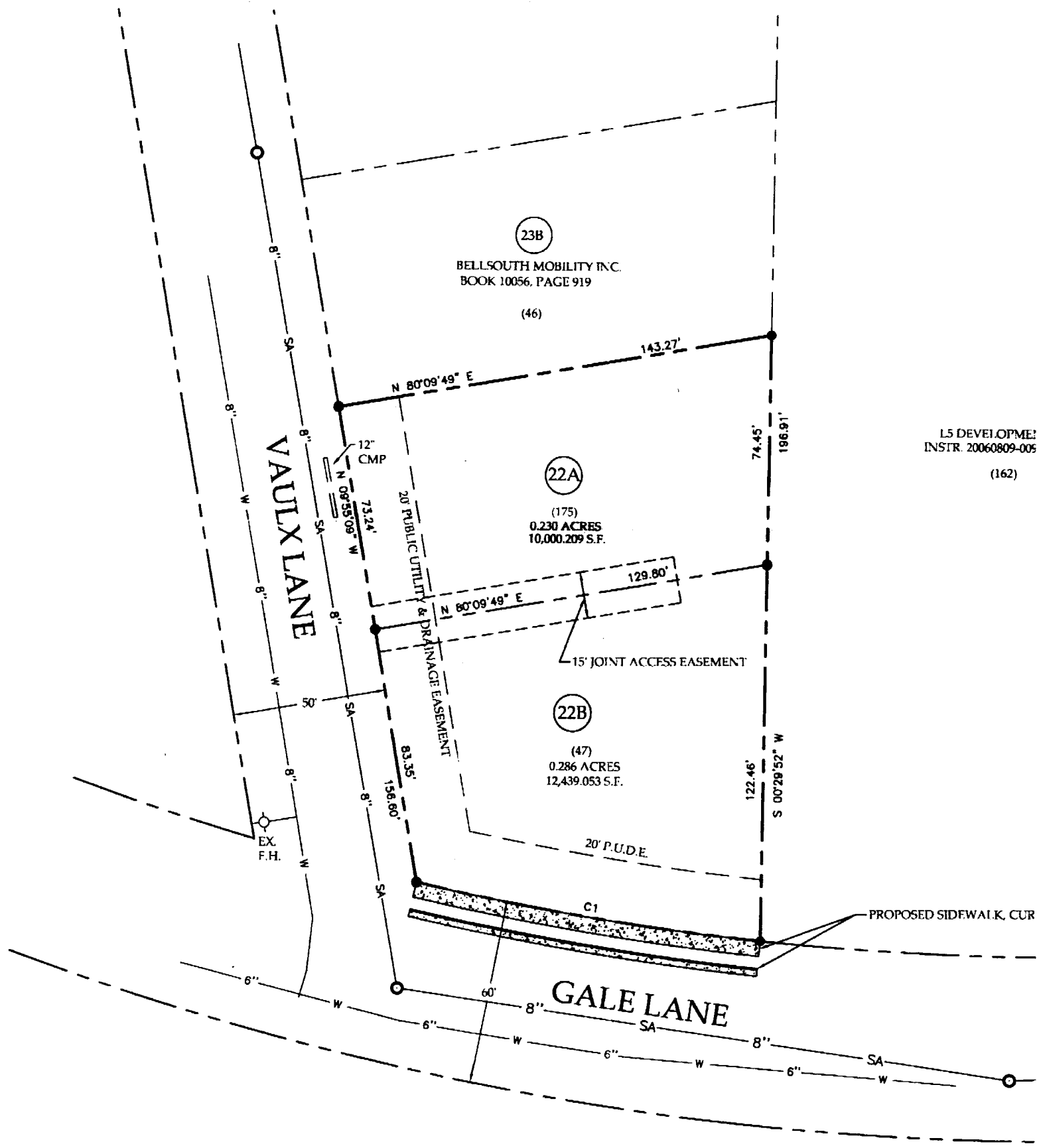
The applicant is requesting final plat approval for a two lot subdivision at the northeast corner of the intersection of Gale Lane and Vaulx Lane.

The site is vacant. The creation of a two lot subdivision on this property would allow for the construction of a two-family residential building on each lot. The possible addition of these units will allow the density of surrounding area to remain consistent with RLM policy.

This subdivision takes advantage of existing infrastructure and adds to the walkability of this neighborhood. In accordance with the Subdivision Regulations, the required sidewalk with curb and gutter is required and is proposed to be constructed along the Gale Lane frontage of the corner lot. A joint access easement proposed along Vaulx Lane will provide vehicular access to both lots.

Lot Comparability

Section 3-5.1 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots.



23B

BELLSOUTH MOBILITY INC.
BOOK 10056, PAGE 919

(46)

22A

(175)
0.230 ACRES
10,000.209 S.F.

22B

(47)
0.286 ACRES
12,439.053 S.F.

L5 DEVELOPMENT
INSTR. 20060809-005

(162)

VAUX LANE

GALE LANE

20' PUBLIC UTILITY & DRAINAGE EASEMENT

15' JOINT ACCESS EASEMENT

20' P.U.D.E.

PROPOSED SIDEWALK, CUR

EX. F.H.

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12" CMP

73.24'

N 09°55'09" W

83.35'

156.60'

129.80'

122.46'

74.45'

143.27'

186.91'

N 80°09'49" E

N 80°09'49" E

S 00°29'52" W

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Metro Planning Commission Meeting of 1/14/2010

A lot comparability analysis was performed and yielded the following information:

Lot Comparability Analysis		
Street	Requirements	
	Minimum lot size (square feet)	Minimum lot frontage (linear feet)
Gale Lane (corner lot)	14,328	69.59
Vaulx Lane (corner lot)	14,328	71.87
Vaulx Lane (interior lot)	9,848	71.87

The proposed lots have the following areas and street frontages (Numbers shown in bold fail lot comparability standards):

- Lot 22A: 10,000 square feet with 73.24 feet of frontage
- Lot 22B: **12,439 square feet** with 83.35 feet of frontage along Vaulx Lane and 144 feet of frontage along Gale Lane

Both lots meet lot comparability standards for lot frontage. However, Lot 22B fails lot comparability standards for lot area.

A lot comparability exception can be granted if the lot does not meet the minimum requirements of the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

The proposed lots could meet **one** of the qualifying criteria of the exception to lot comparability:

- The proposed subdivision is within a one-quarter mile radius of any area designated as a "Mixed Use", "Office", "Commercial", or "Retail" land use policy categories. The proposed subdivision is located adjacent to land with Retail Concentration Community (RCC) policy.

Lot Comparability Exception

PUBLIC WORKS RECOMMENDATION

1. Sidewalks if required are to be constructed with curb and gutter, and are to be bonded or built prior to the recording of a final plat.



Metro Planning Commission Meeting of 1/14/2010

2. All work within the Public right-of-way requires an Excavation Permit from the Department of Public Works.

WATER SERVICES RECOMMENDATION

Approved

STORMWATER RECOMMENDATION

Approved

FIRE MARSHAL RECOMMENDATION

No comment at this time

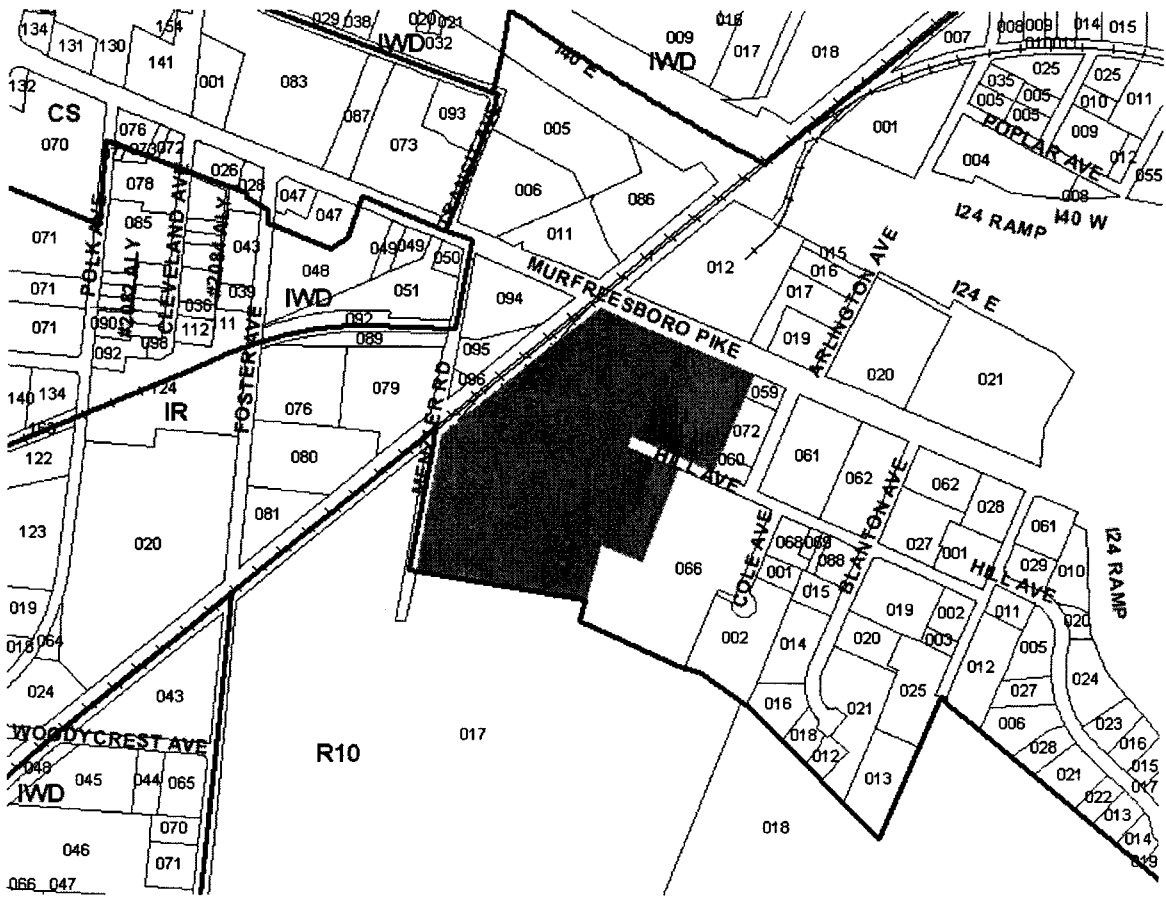
STAFF RECOMMENDATION

Staff recommends approval with a condition concerning bonding of sidewalk. With approval of a lot comparability exception, the proposal complies with the Subdivision Regulations.

CONDITION

1. All sidewalks shall be constructed per the Department of Public Works' specifications or bonded prior to the recording of the final plat.

SEE NEXT PAGE



2009S-118-001
 Best One Nashville Realty Subdivision
 Map: 106-06 Parcel: 058
 South Nashville Community Plan
 Council District 16 – Anna Page



Project No.
Project Name
Council District
School District
Requested by

2009S-118-001
Best One Realty Subdivision
16 - Page
7 - Kindall
Best One Nashville Realty Partnership, owner, Ragan-Smith-Associates Inc., surveyor.

Staff Reviewer
Staff Recommendation

Johnson
Approve with conditions

APPLICANT REQUEST

Final Plat to create three lots.

Final Plat

A request for final plat approval to create three lots on property located at 705 Murfreesboro Pike, approximately 150 feet west of Arlington Avenue (22.67 acres), zoned Industrial Restrictive (IR).

PLAN DETAILS

Final Plat

The applicant is requesting final plat approval for a three lot subdivision on Murfreesboro Pike. All three proposed lots comply with applicable requirements of the Subdivision Regulations and the Zoning Code for new lots. The area within the plat boundary is developed. The applicant does not propose additional development at this time. A parking analysis submitted by the applicant illustrates the ability for each lot to provide its own required parking. As this property is industrially zoned, requirements for sidewalk and landscaping improvements will be addressed when building permit applications are made.

PUBLIC WORKS RECOMMENDATION

1. Sidewalks if required are to be constructed with curb and gutter, and are to be bonded or built prior to the recording of a final plat.
2. All work within the Public right-of-way requires an Excavation Permit from the Department of Public Works.

WATER SERVICES RECOMMENDATION

1. Add the following note: Individual water and/or sanitary sewer service lines are required for each parcel.
2. Approval is contingent on construction of Metro Project # 09-SL-53. Bond amount is set at \$55,000 for sewer.
3. These comments apply to Metro Water Services' public water and sewer utility issues only.



Metro Planning Commission Meeting of 1/14/2010

4. It is the responsibility of the applicant to contact the Fire Marshal's Office regarding adequate fire protection.

STORMWATER RECOMMENDATION

1. Outline the water quality device unit in its as-built location, not just the manhole covers.
2. The existing pond drainage easement is okay and correct per the recorded easement. But, the as-built pond and the as-built water quality device do not fall completely within those limits. You must extend the drainage easement to include them as you did for the pipes exiting the pond.

FIRE MARSHAL RECOMMENDATION

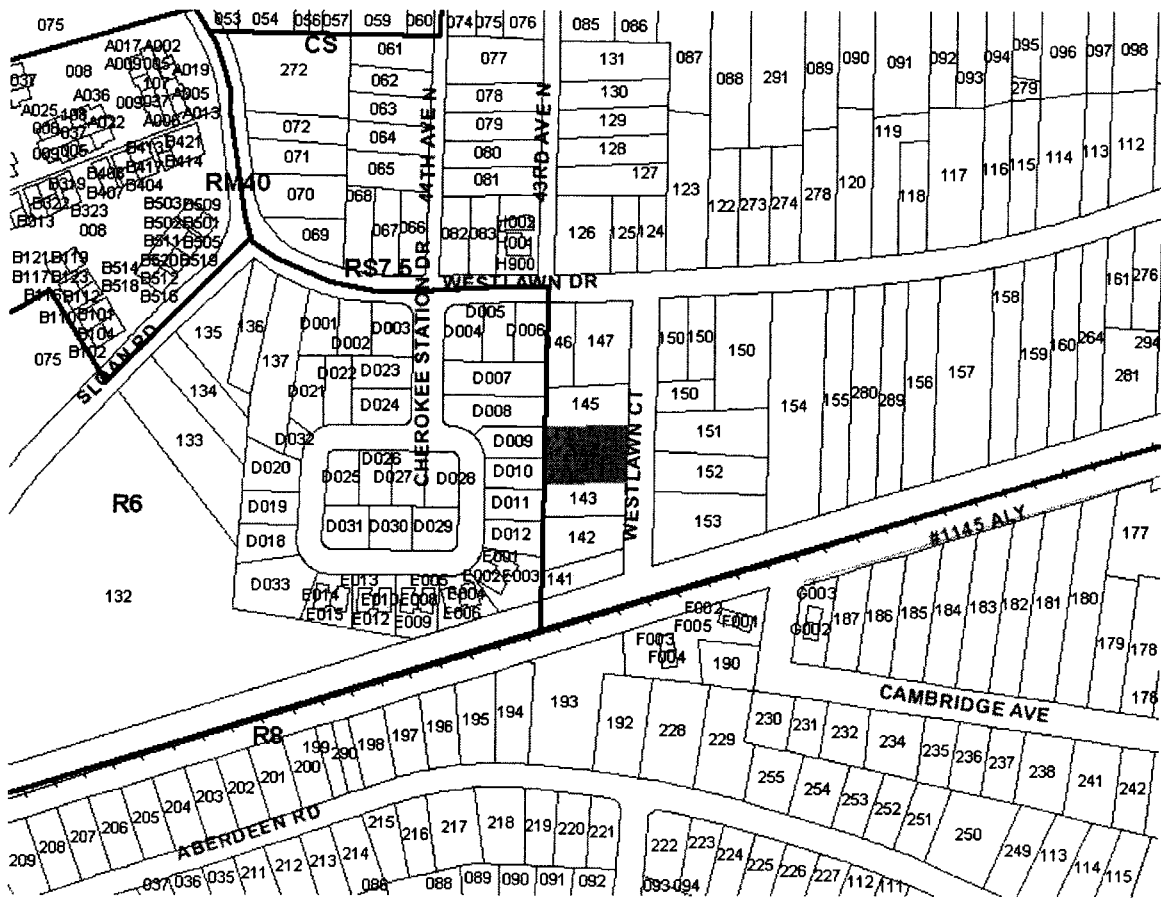
No comment at this time

STAFF RECOMMENDATION

Staff recommends approval with conditions. The subdivision complies with the Subdivision Regulations.

CONDITIONS

1. Prior to recordation of the final plat, the following note shall be added: Individual water and/or sanitary sewer service lines are required for each parcel.
2. Prior to the recordation of final plat, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Water Services Department for all sewer and water improvements.
3. Prior to the recordation of final plat, the water quality device unit shall be outlined in its as-built location, not just the manhole covers.
4. Prior to the recordation of final plat, the drainage easement shall be extended to include the as-built pond and the as-built water quality device.
5. Prior to the recordation of final plat, any required infrastructure improvements shall be constructed or bonded.
6. Prior to the recordation of final plat, a mandatory referral for the closure of Hill Avenue must be approved by Metro Council.



2009S-120-001
 Terry's Two Lot Subdivision
 Map: 103-08 Parcel: 144
 West Nashville Community Plan
 Council District 24 – Jason Holleman



Project No.
Project Name
Council District
School District
Requested by

Subdivision 2009S-120-001
Terry's Two Lot Subdivision
24 - Holleman
9- Simmons
Robert and Patrick Terry, owners, Mark Donlon, surveyor

Staff Reviewer
Staff Recommendation

Bernards
Approve with conditions and an exception to the lot comparability requirements of Section 3.5 of the Subdivision Regulations

APPLICANT REQUEST

Create two lots.

Final Plat

A request for final plat approval to create two lots on property located at 17 Westlawn Court, approximately 250 feet south of Westlawn Drive (0.36 acres), zoned Single-Family Residential (RS7.5).

ZONING
RS7.5 District

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

PLAN DETAILS

The applicant is requesting final plat approval for a two lot subdivision in Sylvan Park. Westlawn Court is a short street, less than 500 feet in length, that terminates at a CSX rail line. There is existing house that will need to be removed prior to the recording of the plat.

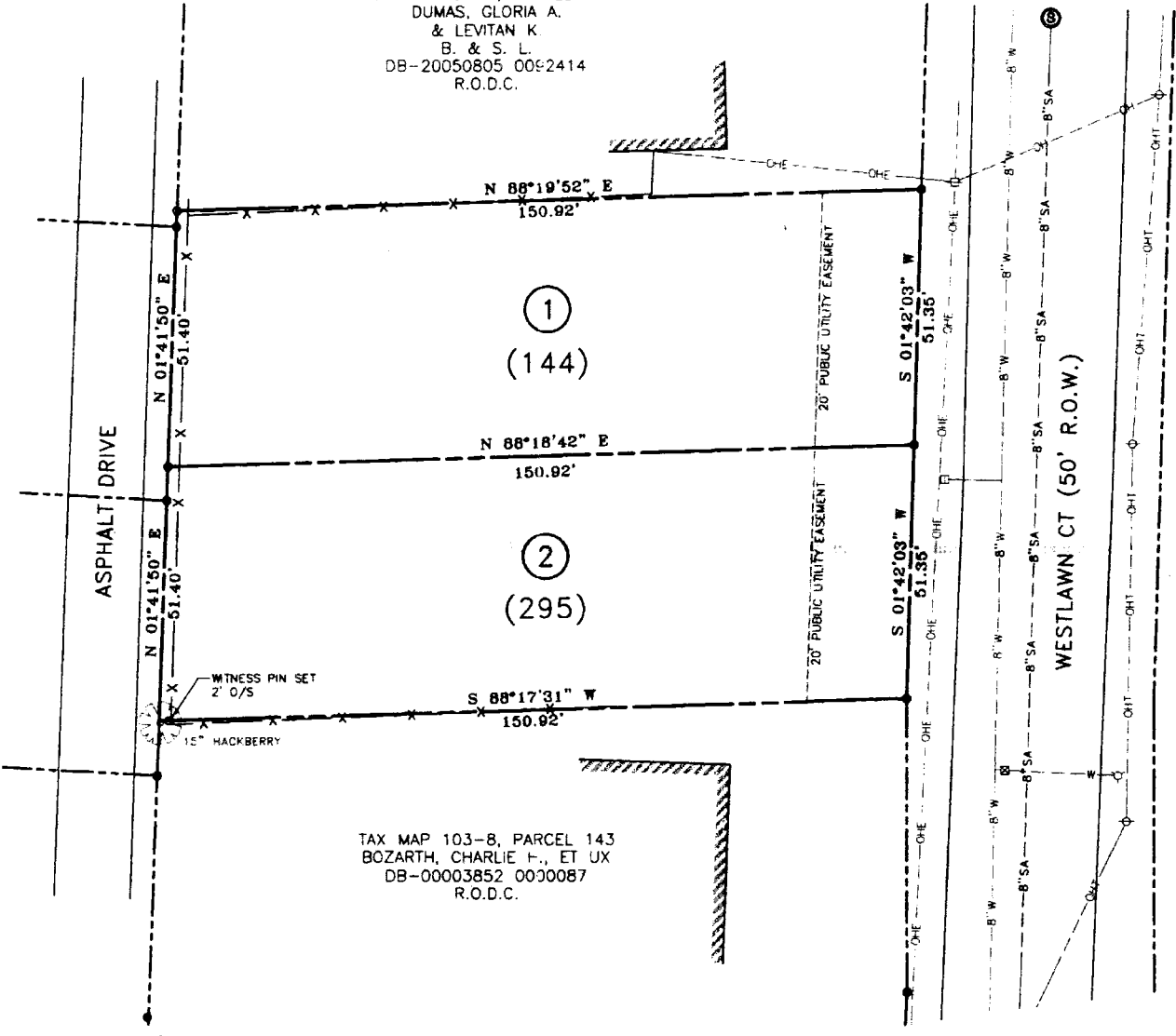
The Historical Commission staff visited the site and determined that the existing house is not worthy of conservation or historically significant.

A sidewalk is required on one of the lots. The applicant has the option to build or bond the sidewalk or make a payment in lieu of building the sidewalk.

Lot Comparability

Both lots meet the minimum lot size requirements for the RS7.5 zoning district, but Section 3-5 of the Subdivision Regulations requires that new lots in areas previously subdivided and predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. As the surrounding area is predominantly developed, a lot comparability analysis was performed. Both lots failed for lot frontage and area.

TAX MAP 103-8, PARCEL 145
 DUMAS, GLORIA A.
 & LEVITAN K.
 B. & S. L.
 DB-20050805 0092414
 R.O.D.C.



TAX MAP 103-8, PARCEL 143
 BOZARTH, CHARLIE F., ET UX
 DB-00003852 0000087
 R.O.D.C.



Metro Planning Commission Meeting of 1/14/2010

Lot Comparability Analysis – Westlawn Court		
Street:	Requirements:	
	Minimum lot size (sq. ft.):	Minimum lot frontage (linear ft.):
	8,494	55.24

The proposed new lots will have the following areas and street frontages:

- **Lot 1:** 7,739.84 sq. ft., with 51.35 linear ft. of frontage.
- **Lot 2:** 7,739.67 sq. ft., with 51.35 linear ft. of frontage.

Lot Comparability Exception

A lot comparability exception can be granted when a proposed lot does not meet the minimum requirements of the lot comparability analysis if the new lots would be consistent with the General Plan. The Planning Commission has discretion whether or not to grant a lot comparability exception.

The proposed lots meet **one** of the qualifying criteria for the exception to lot comparability:

- The proposed lots are within a quarter mile of an area designated as an T-4 Urban Neighborhood Center which are characterized as mixed-use.

PUBLIC WORKS RECOMMENDATION

No exception taken.

STORMWATER RECOMMENDATION

Approved

STAFF RECOMMENDATION

Staff recommends approval with conditions of the final plat, and that an exception to the lot comparability requirements of the Subdivision Regulations be granted.

CONDITIONS

1. Prior to the recordation of the final plat, the existing residence shall be removed from the property.
2. A sidewalk shall be added to the plat for one of the two lots.
3. A note shall be added to the plat that no building permits shall be issued on either lot until the proposed



Metro Planning Commission Meeting of 1/14/2010

sidewalk is either constructed to the Department of Public Works' specifications, bonded, or a financial contribution payment is made in lieu of construction of sidewalks.