

# Metropolitan Planning Commission



Staff Reports

**May 27, 2010**

## **PREVIOUSLY DEFERRED ITEMS**



**18-85P-001**  
 7734 Highway 70 S  
 Map: 127-00 Parcel: 086  
 Bellevue Community Plan  
 Council District 22 – Eric W. Crafton



**Project No.** **Planned Unit Development 18-85P-001**  
**Associated Case** 2010Z-010PR-001  
**Council Bill** BL2010-672  
**Council District** 22 - Crafton  
**School District** 9 - Simmons  
**Requested by** Eric Crafton, applicant, Patsy Potter, owner  
**Deferral** *Deferred from the May 13, 2010, Planning Commission meeting at the request of the applicant.*

**Staff Reviewer** Bernards  
**Staff Recommendation** *Defer to the June 10, 2010, Planning Commission meeting*

**APPLICANT REQUEST**

**Cancel the 7734 Highway 70 South Planned Unit Development.**

**Zone Change**

A request to cancel the 7734 Highway 70 South Commercial Planned Unit Development district located at 7734 Highway 70 South, at the northwest corner of Highway 70 South and Harpeth Valley Road, zoned One and Two-Family Residential (R40) and proposed for Commercial Limited (CL), (3.37 acres), approved for a commercial nursery facility.

**Deferral**

The applicant has requested a further deferral to June 10, 2010, in order to obtain additional community input on this request. This community, including this property, was severely impacted by the recent storm event and has not had an opportunity to review the applicant's revised proposal.

**Existing Zoning**  
R40 District

R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots. *Without the PUD overlay, the R40 zoning on this site would permit up to three residential lots.*

**Commercial PUD**

A Commercial PUD overlay was applied to this property in 1985 to permit a garden and nursery center.

**CRITICAL PLANNING GOALS**

N/A

**BELLEVUE COMMUNITY PLAN**

**Office Transition (OT)**

OT policy is intended for small offices intended to serve as a transition between lower and higher intensity uses where



## Metro Planning Commission Meeting of 05/27/2010

there are no suitable natural features that can be used as buffers. Generally, transitional offices are used between residential and commercial areas. The predominant land use in OT areas is low-rise, low intensity offices.

### **Natural Conservation (NCO)**

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

### **Consistent with Policy?**

While the garden and nursery center permitted in this Commercial PUD may be consistent with the NCO policy, the bulk of the property is within the OT policy. The permitted use is not consistent with the OT policy.

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### **PUBLIC WORKS RECOMMENDATION**

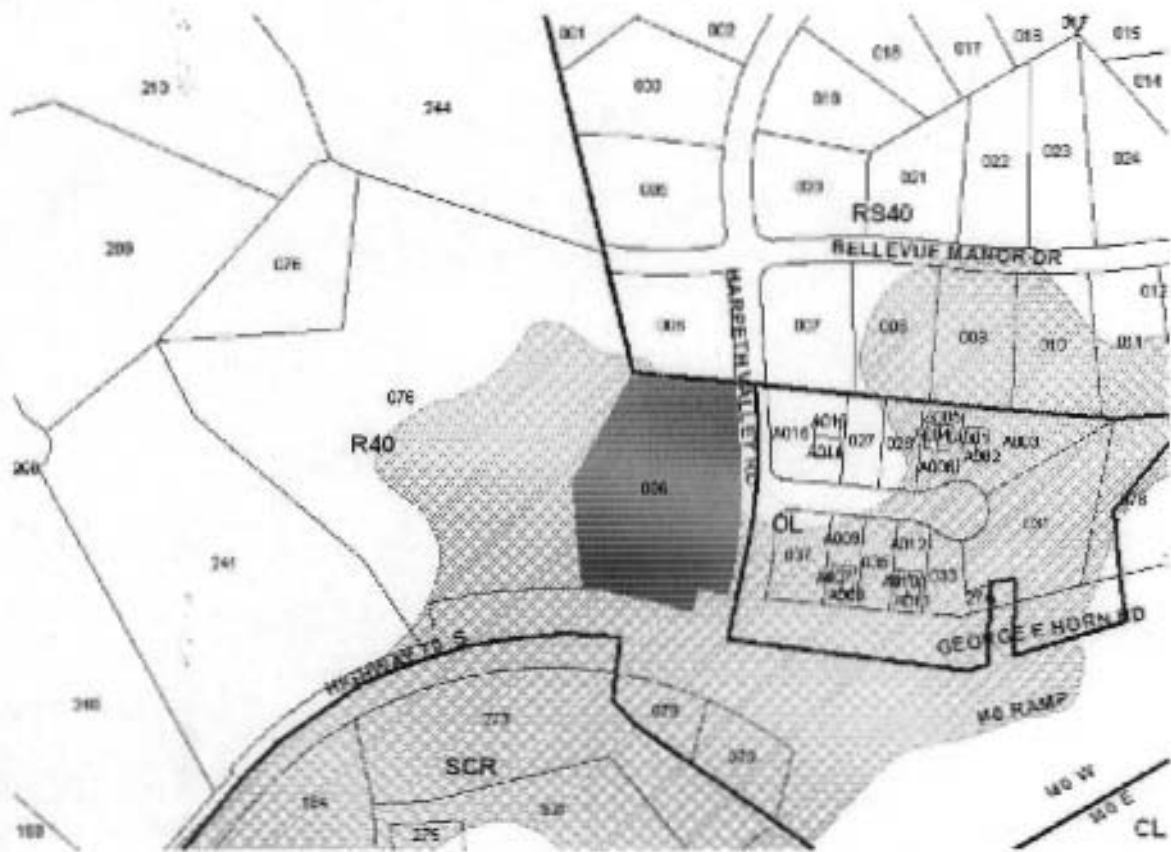
A TIS may be required at re-development.

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### **STAFF RECOMMENDATION**

The applicant has requested that this item be deferred to the June 10, 2010, agenda. Staff recommends that this item be deferred.

**SEE NEXT PAGE**



**2010Z-010PR-001**  
 Map: 127-00 Parcel: 086  
 Bellevue Community Plan  
 Council District 22 Eric W. Crafton



**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**  
**Deferral**

**Zone Change 2010Z-010PR-001**  
18-85P-001  
BL2010-673  
22 - Crafton  
9 - Simmons  
Ted Potter, applicant, Patsy Potter, owner  
*Deferred from the May 13, 2010, Planning Commission meeting at the request of the applicant.*

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

Bernards  
*Defer to the June 10, 2010, Planning Commission meeting.*

**APPLICANT REQUEST**

**Rezone from R40 to CL.**

**Zone Change**

**A request to rezone from One and Two-Family Residential (R40) to Commercial Limited (CL) zoning for property located within the 7734 Highway 70 South Planned Unit Development Overlay at 7734 Highway 70 South, at the northwest corner of Highway 70 South and Harpeth Valley Road (3.37 acres).**

**Deferral**

**The applicant has requested a further deferral to June 10, 2010, in order to obtain additional community input on this request. This community, including this property, was severely impacted by the recent storm event and has not had an opportunity to review the applicant's revised proposal.**

**Existing Zoning**  
R40 District

R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots. *Without the PUD overlay, the R40 zoning on this site would permit up to three residential lots.*

**Proposed Zoning**  
CL District

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

**CRITICAL PLANNING GOALS**

N/A

**BELLEVUE COMMUNITY PLAN**

**Office Transition (OT)**

OT policy is intended for small offices intended to serve as a transition between lower and higher intensity uses where there are no suitable natural features that can be used as buffers. Generally, transitional offices are used between





## Metro Planning Commission Meeting of 05/27/2010

### Natural Conservation (NCO)

residential and commercial areas. The predominant land use in OT areas is low-rise, low intensity offices.

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

### Consistent with Policy?

No. The proposed commercial zoning conflicts with the land use policies on the project site, which promote low-intensity office uses as a transition between residential and commercial uses and the NCO policy that calls for low-intensity residential development. While the majority of the site is within a floodplain the NCO policy covers only a small portion of the property along the western boundary.

### Analysis

There is a Commercial PUD on this property that was adopted in 1985, to permit a landscape business. Across Highway 70 South there is a gas station and a martial arts studio in the R40 district and a restaurant in the Shopping Center Regional (SCR) district. The gas station and studio are legally non-conforming uses. A retail use was in place prior to the studio. In December 1988, the Board of Zoning Appeals approved the studio as a use that would not increase the degree of non-compliance.

The properties across Harpeth Valley Road were rezoned to Office Limited (OL) district in 1999. The low intensity Harpeth Valley Office Park was developed. The OL zoning district would be the appropriate zoning district for this policy.

### PUBLIC WORKS RECOMMENDATION

A TIS may be required at development.

Typical Uses in Existing Zoning District: R40 PUD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Greenhouse/Nursery (817)	3.37	-	2,868 SF	104	4	11

\*Floor area controlled by PUD



## Metro Planning Commission Meeting of 05/27/2010

### Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Strip Shopping (814)	3.37	0.165	24,221 SF	1074	27	80

### Traffic changes between typical: R40 PUD and proposed CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+970	+23	+69

### Maximum Uses in Existing Zoning District: R40 PUD

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Greenhouse/Nursery (817)	3.37	-	2,868 SF*	104	4	11

\*Floor area controlled by PUD

### Maximum Uses in Proposed Zoning District: CL

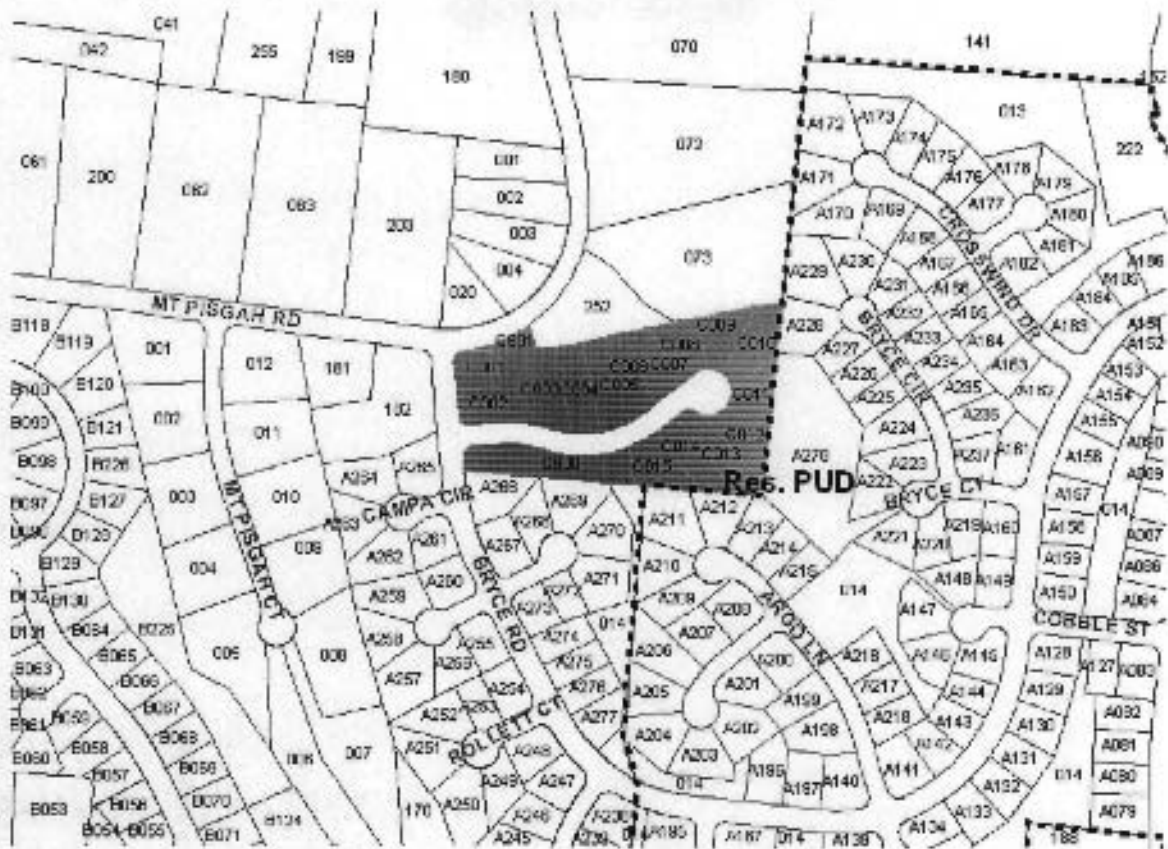
Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	3.37	0.6	88,078 SF	6254	143	585

### Traffic changes between maximum: R40 PUD and proposed CL

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+6150	+139	+574

### STAFF RECOMMENDATION

The applicant has requested that this item be deferred to the June 10, 2010, agenda. Staff recommends that this item be deferred.



2007S-209G-12

Brentwood Knoll

Map: 172-15-0-C Parcels:001 - 012

Map: 172-15-0-C Parcels:013, 014, 015, 900, 901

Southeast Community Plan

Council District 31 – Parker Toler



Project No.  
Project Name  
Council District  
School District  
Requested by

Subdivision 2007S-209G-12  
Brentwood Knoll

31- Toler

2- Brannon

Metro Planning Department on behalf of Councilmember Parker Toler; Community South Bank, owners

*Deferred from March 25, 2010, April 22, 2010, and May 13, 2010, Planning Commission meetings at the request of the applicant.*

Deferral

Staff Reviewer  
Staff Recommendation

Logan  
*Approve*

**APPLICANT REQUEST**

**Rescind final plat approval.**

**Rescind Final Plat**

**A request to rescind final plat approval for Brentwood Knoll, containing 15 lots and open space located along Brentwood Knoll Court and Bryce Road (5.09 acres), zoned Single-Family Residential (RS10) and Agricultural/Residential (AR2a).**

**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.

AR2a District

Agricultural/Residential requires a minimum lot size of 2 acres and is 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.

**CRITICAL PLANNING GOALS**

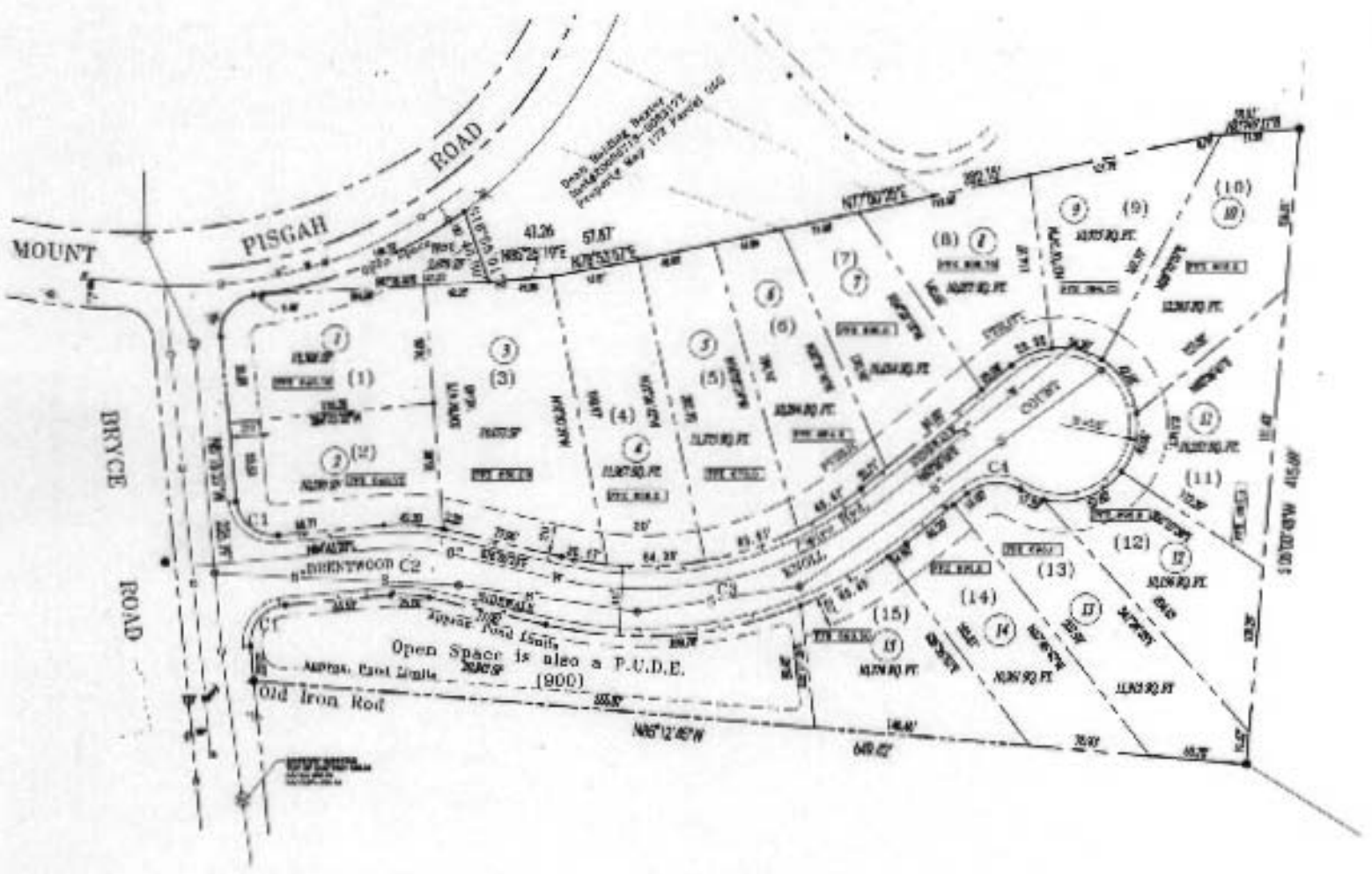
N/A

**PLAN DETAILS**

The preliminary plat for Brentwood Knoll was approved on February 24, 2005. The final plat for Brentwood Knoll was recorded on May 22, 2008, and created 15 lots. On April 20, 2010, a successor trustee's deed was recorded that transferred the property from the original owner to Community South Bank. Prior to first placing this request on the Planning Commission agenda, notices were sent via certified mail to the owner of the property and Community South Bank.

Bond Information

Generally, in order to record a final plat, the construction plans for the required infrastructure must be approved by



MOUNT  
 BRYCE ROAD

PISGAH ROAD

ROAD

STAT  
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Open Space is also a P.U.D.E.  
 APPROX. Cont 2.00 ac.  
 (900)

Old Iron Rod

BIRCHWOOD C2

COUNTRY

(1)

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DASH BUILDING BEARING  
 SANGAMON COUNTY  
 PROPERTY MAP 172 PART 100

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## Metro Planning Commission Meeting of 05/27/2010

Public Works, Stormwater and Water Services (hereinafter "the reviewing departments"). If the developer chooses not to install the required infrastructure prior to recording the final plat, the reviewing departments will determine a bond amount based on the approved construction plans. The developer will then post a bond prior to recording the final plat.

The bond is comprised of two parts:

- 1) the performance agreement, which is the contract signed by the developer stating that they will complete the infrastructure, and
- 2) the security in the form of a letter of credit, cashier's check or surety bond.

The bond insures that the Metro Government will be able to complete the infrastructure in the event that the developer is unwilling or unable.

In this case, a bond was posted prior to recording the final plat. The surety company securing this bond is Developers Surety and Indemnity Company. This surety company is currently excluded from providing surety bonds to the Planning Commission until November 13, 2010, because they have not paid on this bond and two other bonds.

On October 9, 2009, the Planning Department made a demand on the surety bond for this development. On November 3, 2009, the case was sent to the Department of Law. To date, the surety company has not completed the infrastructure nor paid the amount of the bond (\$118,000). Since the bond is required to secure the satisfactory construction, installation, and dedication of the required improvements of the final plat, the bond will be released if the plat is rescinded.

### Stormwater Easements

Metro Stormwater has requested that the easements for the detention pond be retained, even if the plat is rescinded. However, the Department of Law has stated that the easements are unnecessary due to the existing maintenance agreement that requires the developer to maintain the storm water infrastructure. The maintenance agreement runs with the land and is filed at the Register of Deeds to insure that future owners of the property continue to maintain the existing infrastructure. Should the owner of the property fail to maintain the existing infrastructure, Metro could pursue legal action to enforce the provisions of the existing agreement.



## Metro Planning Commission Meeting of 05/27/2010

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**PUBLIC WORKS  
RECOMMENDATION**

No Exception Taken

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**STORMWATER  
RECOMMENDATION**

If the plat can be rescinded and easements be retained, then Stormwater would like the easement for the detention pond retained. If the easements can't be retained by rescinding the plat, then Stormwater is ok with the rescission of the plat without easements.

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**STAFF RECOMMENDATION**

Staff recommends approval of rescinding the plat since the infrastructure is incomplete and the surety company has not paid the amount of the bond.

**ZONING MAP AMENDMENTS,  
SPECIFIC PLANS, and  
NEIGHBORHOOD LANDMARKS**





**2005SP-117G-14**

Elm Hill Pike Daycare Center

Map: 108-00 Parcel: 333

Donelson/Hermitage/Old Hickory Community Plan

Council District 13 – Carl Burch



**Project No.** SP District Review 2005SP-117G-14  
**Project Name** Elm Hill Pike Daycare Center SP  
**Council District** 13 - Burch  
**School District** 6 - Johnson  
**Requested by** Metro Planning Department

**Staff Reviewer** Bernards  
**Staff Recommendation** Find the SP District active

**APPLICANT REQUEST**

Four year SP review to determine activity.

**SP Review**

The periodic review of an approved Specific Plan (S) district known as "Elm Hill Pike Daycare Center", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code, for property located at 3300 Elm Hill Pike (1.61 acres), approved for a daycare facility serving up to 200 children via Council substitute Bill BL2005-856 effective on April 18, 2006.

**Zoning Code Requirement**

Section 17.40.106.I of the Zoning Code requires that a SP District be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP district is appropriate.

**DETAILS OF THE SP DISTRICT**

The SP was approved for a daycare center serving up to 200 children.

Staff visited the site on April 16, 2010. The daycare is in operation but there remains a number of outstanding elements including the completion of the sidewalk along Elm Hill Pike and final inspections for the electrical work. The daycare opened under a temporary use and occupancy permit and is currently working with the Codes Department to complete all outstanding items.



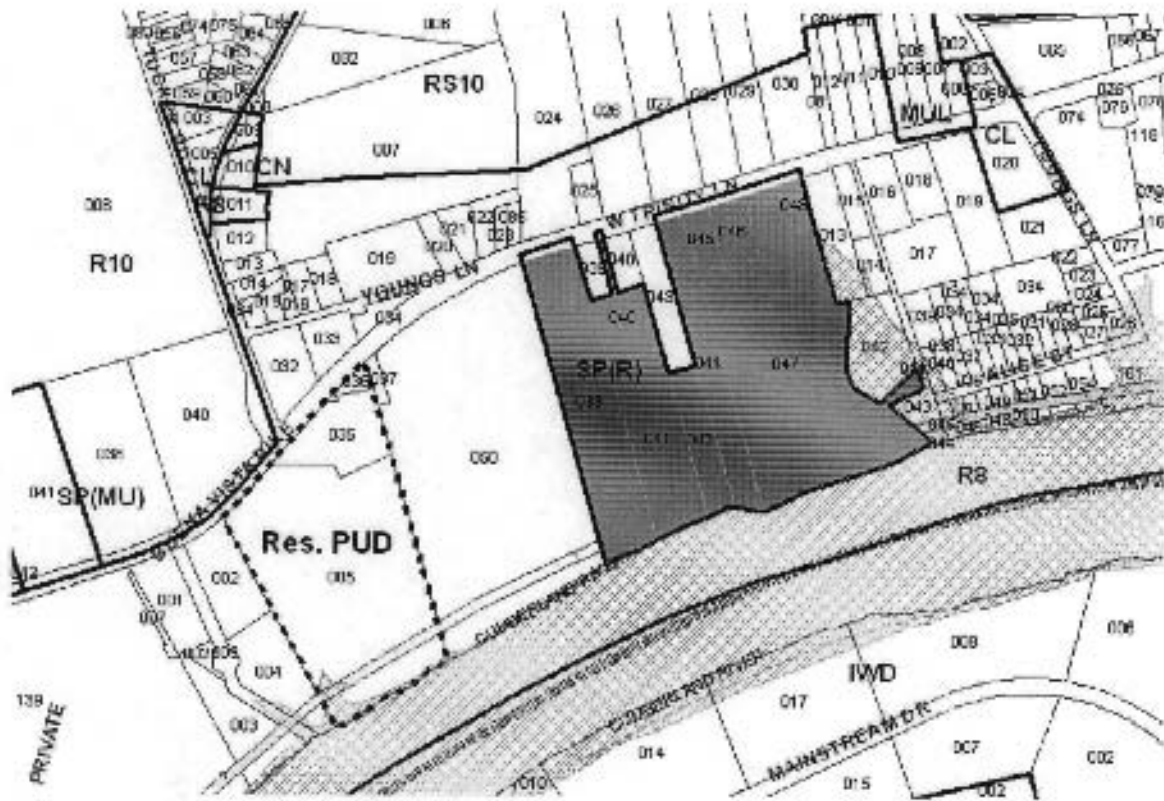
## Metro Planning Commission Meeting of 05/27/2010

The staff assessment of this SP is that it is active. Staff recommends that this SP be found active and that it be placed back on the four-year review list.

### **STAFF RECOMMENDATION**

Staff recommends that the Elm Hill Pike Daycare Center SP be found to be active.

**SEE NEXT PAGE**



**2005SP-179U-03**

Trinity Bluffs

Map: 070-06 Parcels: 038, 040, 041, 042, 044, 045, 046, 047, 048

Bordeaux/Whites Creek Community Plan

Council District 2 – Frank R. Harrison



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

**SP District Review 2005SP-179U-03**  
**Trinity Bluffs SP**  
2 - Harrison  
1- Gentry  
Metro Planning Department

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

Bernards  
*Find the SP District Inactive and direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.*

**APPLICANT REQUEST**

**Four year SP review to determine activity.**

**SP Review**

**The periodic review of an approved Specific Plan (R) district known as "Trinity Bluffs", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code, for property located at 1106, 1108, 1110, 1116, and 1120 West Trinity Lane (27.55 acres), approved for 248 townhouses with a club house via Council Bill BL2006-960 effective on April 18, 2006.**

**Zoning Code Requirement**

Section 17.40.106.I of the Zoning Code requires that a SP district be reviewed four years from the date of Council approval and every four years after until the development has been deemed complete by the Planning Commission.

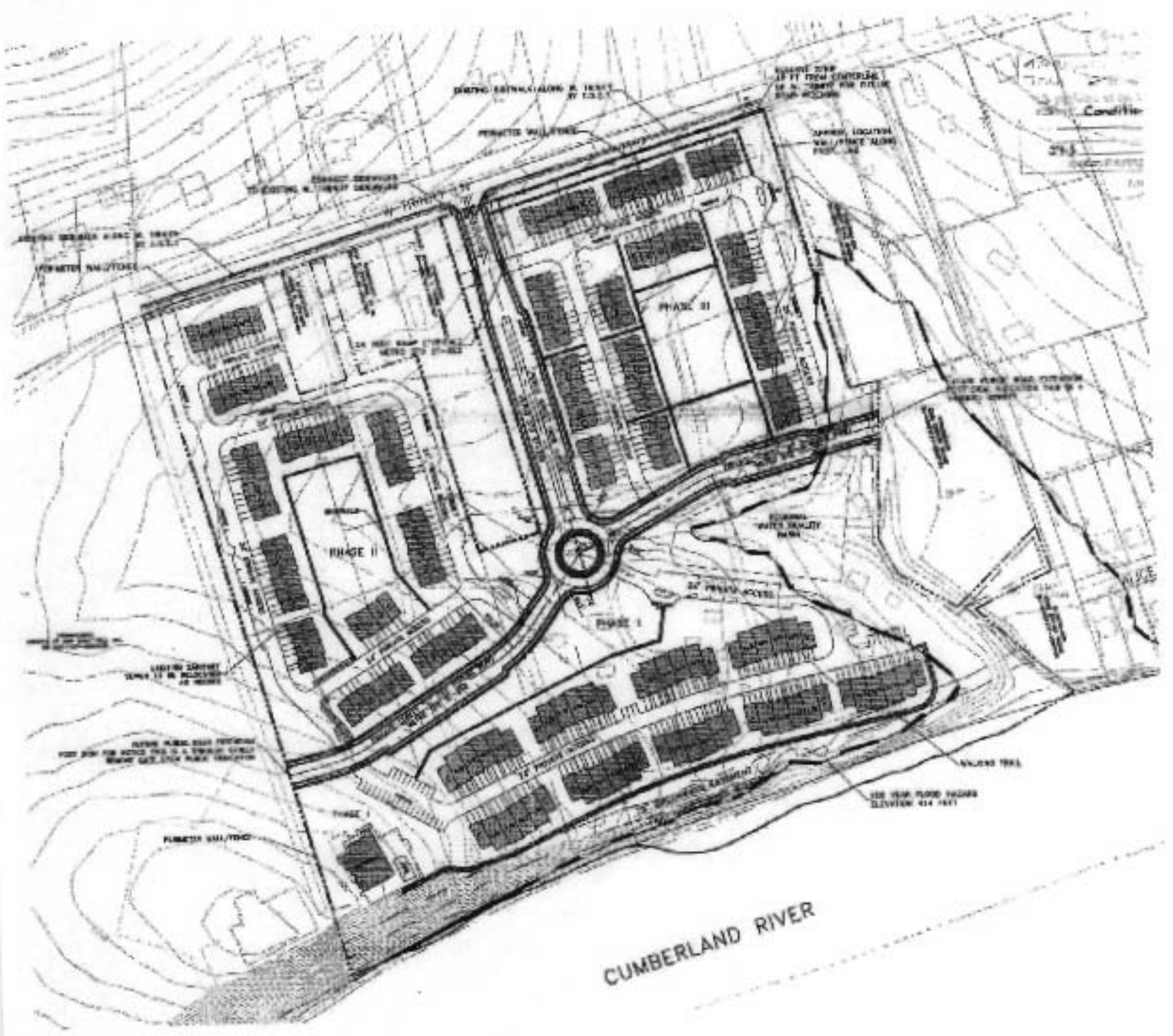
Each development within a SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary at this time. If the review determines that the project is inactive then the Planning Commission is to determine if its continuation as an SP District is appropriate.

**DETAILS OF THE SP DISTRICT**

The Trinity Bluffs SP is approved for 284 townhouse units and a club house on approximately 27.55 acres overlooking the Cumberland River.

The SP preserves the majority of the portion of the site within the 100 year floodplain. The approved preliminary plan shows all residential development outside of the 100 year plan and the areas of inundation from the recent storm event. The final site plan will also need to show all development outside of both the 100 year floodplain and areas of inundation from the recent storm event.





Scale  
1" = 100'  
Date: 10/1/88  
Sheet: 1 of 1

CUMBERLAND RIVER

100 YEAR FLOOD ELEVATION 414.14 FT

PROPOSED UTILITIES

PHASE II

PHASE I

PHASE III  
12 FT TOTAL COVERED  
14 FT COVERED FOR FIT OF  
SPAN ACCESS

SPANNING LOCATION  
VIA PHASE ALONG  
FRONTAGE

EXISTING UTILITIES ALONG N. FRONT  
BY 10.5.1

PROPOSED UTILITIES

EXISTING UTILITIES  
TO EXISTING N. FRONT SERVICE

EXISTING UTILITIES ALONG N. FRONT  
BY 10.5.1  
PROPOSED UTILITIES

EXISTING UTILITIES  
ALONG N. FRONT  
BY 10.5.1

EXISTING UTILITIES ALONG N. FRONT  
BY 10.5.1  
PROPOSED UTILITIES

WATER QUALITY

WATER QUALITY

27' PRIVATE ACCESS

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## Metro Planning Commission Meeting of 05/27/2010

### SPECIFIC PLAN REVIEW

Staff conducted a site visit on April 19, 2010. There did not appear to be any construction activity on the site. A letter was sent to the property owner of record requesting details that could demonstrate that the SP was active.

The owner did not respond to the letter. Staff contacted the engineering firm that had been the original applicant on this SP. The engineer no longer had contact information for the owner. As no documentation of activity was submitted, the staff preliminary assessment of inactivity remains in place.

### FINDING OF INACTIVITY

When the assessment of an SP is that it is inactive, staff is required to prepare a report for the Planning Commission with recommendations for Council Action including:

1. An analysis of the SP district's consistency with the General Plan and compatibility with the existing character of the community and whether the SP should remain on the property, or
2. Whether any amendments to the approved SP district are necessary, or
3. To what other type of district the property should be rezoned.

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council with a recommendation on the following:

1. The appropriateness of the continued implementation of the development plan or phase(s) as adopted, based on current conditions and circumstances; and
2. Any recommendation to amend the development plan or individual phase(s) to properly reflect existing conditions and circumstances, and the appropriate base zoning classification(s) should the SP district be removed, in whole or in part, from the property.

### Permits on Hold

Section 17.40.106.1.1 of the Zoning Code requires that once the review of an SP with a preliminary assessment of inactivity is initiated, no new permits, grading or building, are to be issued during the course of the review. For purposes of satisfying this requirement, a hold shall be placed on all properties within the SP on the date the staff recommendation is mailed to the Planning Commission so that no new permits will be issued during the review.





## Metro Planning Commission Meeting of 05/27/2010

### ANALYSIS

#### Consistency with the General Plan

This property is within the Bordeaux/Whites Creek Community Plan and there are two land use policies in place. The bulk of the property is within Neighborhood General (NG) policy and a small section, on a portion of the floodplain, is within the Natural Conservation (NCO) policy.

No development is proposed on the NCO area. NG is intended to meet a spectrum of housing needs with a variety of housing and a site plan is required when a property is rezoned to assure appropriate design and that the type of development conforms with the intent of the policy. The Trinity Bluffs SP is consistent with the land use policies in place.

#### Amendments/Rezoning

As the SP is consistent with the Neighborhood General and Natural Conservation policies of the Bordeaux/Whites Creek Community Plan, at this time the SP remains appropriate for the site and area. There are no amendments to the plan proposed and no new zoning district is proposed for the property.

#### Recommendation to Council

If the Planning Commission agrees with the staff assessment, staff will prepare a written report of the Commission's determination to Council to continue the implementation of the development plan as adopted and that no rezoning is required on this property.

### STAFF RECOMMENDATION

Staff recommends that the Trinity Bluff SP be found to be inactive and that the Planning Commission direct staff to prepare a report to the Council to continue the implementation of the development plan as adopted and that no rezoning is recommended on this property.

**SEE NEXT PAGE**





**Project No.** Zone Change 2010SP-004-001  
**Project Name** 4414 Westlawn Drive SP  
**Council District** 24 – Holleman  
**School District** 9 – Simmons  
**Requested by** Daniel Barton, applicant for James W. Sovine, owner

**Staff Reviewer** Swaggart  
**Staff Recommendation** *Approve with conditions*

**APPLICANT REQUEST**

**Rezone to permit a single-family residence to be used for general and medical office.**

**Preliminary SP**

**A request to change from Single-Family Residential (RS7.5) to Specific Plan Mixed-Use (SP-MU) zoning and for final site plan approval for property located at 4414 Westlawn Drive, approximately 200 feet north of Sloan Road (0.18 acres), to permit single-family residential, medical and general office uses within an existing single-family structure not to exceed 1,999 square feet in floor area.**

**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-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**

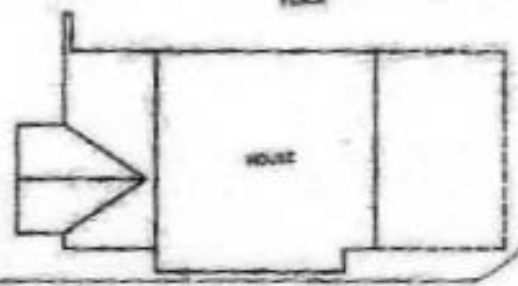
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**WEST NASHVILLE  
COMMUNITY PLAN POLICIES**

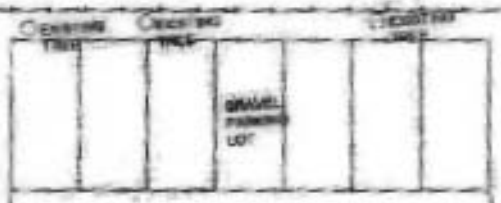
Urban Neighborhood Maintenance  
T4 NM

T4 NM Policy is intended to preserve the general character of urban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use and the public realm. Where not present,

WESTLAWN DRIVE



HOUSE



GRAVEL  
PARKING  
LOT

SCALE 1" = 20'-0"



## Metro Planning Commission Meeting of 05/27/2010

### Special Policy

enhancements are made to improve pedestrian, bicycle and vehicular connectivity.

A special policy applies to this property and the adjacent property to the north (parcel 272). The policy which was adopted by the Planning Commission on April 22, 2010, calls for the two properties to provide a transition between the small but intense T4 Urban Neighborhood Center located along Murphy Road and 46<sup>th</sup> Avenue North and the adjacent T4 Urban Neighborhood Maintenance area to the south. The policy permits low-intensity, small-footprint, non-residential uses with limited and properly located parking.

### Consistent with Policy?

Yes, the proposed Specific Plan is consistent with the area's recently adopted special policy.

### PLAN DETAILS

#### Existing Conditions

The property proposed to be rezoned to SP consists of approximately 7,840 sq. ft. (0.18 acres) of land. The property is developed and contains a small single-family residential structure.

#### SP Plan

The SP is to permit the existing residential structure to be converted into an office. The proposed SP consists of a layout plan and regulating language. As proposed the SP would permit single-family residential, general and medical office uses. The floor area for any use would be limited to 1,999 square feet.

#### Access/Parking

Access will be from its current location on Westlawn Drive. All parking will be located to the rear of the structure. A minimum of nine spaces is required for the office uses and a minimum of two spaces is required for residential. The plan identifies nine spaces. Perpendicular parking spaces may meet the minimum design standards for compact spaces.

#### Additions/Modifications

The SP does permit additions and modifications, but additions are generally limited to the rear of the building.

- Additions that expand the heated and cooled floor area beyond 1,999 sq. ft. shall not be permitted.
- Additions shall not be permitted on the front of the existing structure.
- The existing front porch shall be preserved, and shall not be enclosed.





## Metro Planning Commission Meeting of 05/27/2010

- Decks or other exterior additions such as stairs are permitted, but shall not be permitted on the front of the structure, *unless required to meet ADA standards.*
- This SP does not regulate interior modifications to the structure, which shall be governed by all applicable Building Codes.
- This SP does not regulate exterior modifications such as general upkeep and repairs, painting, siding, window replacement, accents, lighting or other actions that don't alter the structural design of the house.
- Existing windows on the front of the structure may be replaced, but shall not be enclosed.

### New Construction

The SP does not permit the existing structure to be voluntarily demolished unless the Planning Commission finds that removal is necessary to protect public safety and welfare or if it is damaged or destroyed in the amount of twenty-five percent or more of the assessed valuation of all buildings and structures and other improvements on the property. In the event that new construction is permitted the following conditions apply:

- New construction shall require a final site plan application including any applicable fees.
- New construction shall generally be in keeping with existing residential structures in the area. Elevations of proposed new structure(s) shall be submitted to the Planning Commission for review and approval.
- Floor area shall not exceed 1,999 sq. ft.
- Height shall not exceed 2 stories.
- Setbacks shall be consistent with Metro Zoning Code requirements for RS7.5.

### Buffering

The SP requires buffering adjacent to residential properties along the eastern and southern property line. Since the property to the north is not residential then buffering is optional along the northern property line.

### Signage

The SP permits two non-illuminated, small scale signs. The two permitted signs include a sign incorporated into the design of the mailbox, and a name plaque next to the front door on the building. Area for an individual sign shall not exceed three square feet.

### Analysis

The SP is consistent with the West Nashville Community Plan's Special Policy, and meets several critical planning goals. The proposed SP calls for the existing structure to be converted into a low intensity office building. While the SP does permit alterations and additions and in the instance



# Metro Planning Commission Meeting of 05/27/2010

the structure is destroyed, new construction, the SP standards will ensure that the residential character on the property is maintained.

## STORMWATER RECOMMENDATION

Preliminary SP approved

## PUBLIC WORKS RECOMMENDATION

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)	0.18	4.94	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)	0.18	-	1,999 SF	74	10	10

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
-	-	-	-	64	9	8

## STAFF RECOMMENDATION

Staff recommends that the proposed SP be approved with conditions. The SP is consistent with the West Nashville Community Plan's land use policies.

## CONDITIONS

1. A sidewalk is required along the frontage of the property on Westlawn Drive. The sidewalk shall be constructed per the Department of Public Works' specifications, or a financial contribution payment shall be made in lieu of construction of sidewalks. Use and Occupancy permit shall not be issued until the sidewalk is constructed and approved by Metro Public Works or a financial contribution payment has been accepted in lieu of sidewalk construction.
2. Permitted uses include single-family residential, general office and medical office. No other uses shall be permitted without Council approval.





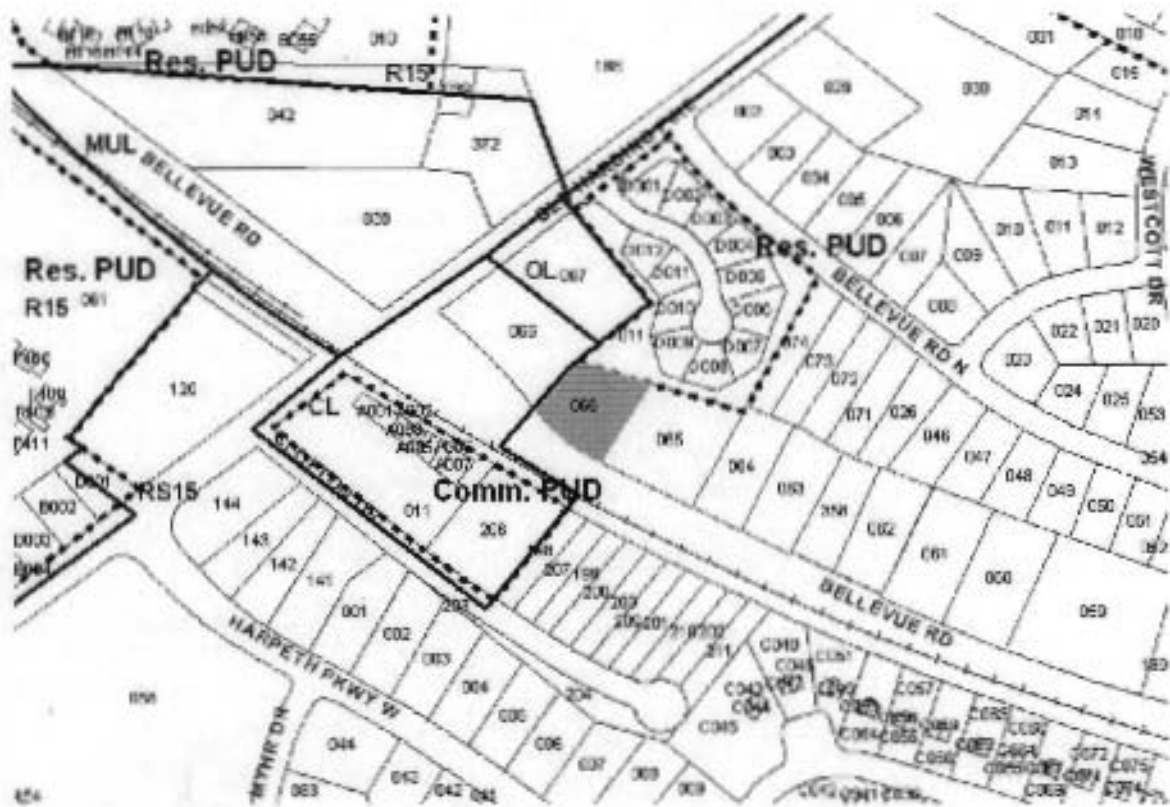
## Metro Planning Commission Meeting of 05/27/2010

3. 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 MUN zoning district as of the date of the applicable request or application.
4. 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.
5. 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.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



## Metro Planning Commission Meeting of 05/27/2010

7. 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 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.



**2010NL-001-001**  
 358 Bellevue Road  
 Map: 142-00 Parcel: 066  
 Bellevue Community Plan  
 Council District 22 – Eric W. Crafton



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

**Neighborhood Landmark 2010NL-001-001**  
**358 Bellevue Road**  
22 – Crafton  
9 – Simmons  
Julee Jones and Victor Scoggin, owners

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

Johnson  
*Approve Neighborhood Landmark District*  
*Approve with conditions the Neighborhood Landmark Development Plan*

**APPLICANT REQUEST**

**Apply a Neighborhood Landmark District**  
**Approve Neighborhood Landmark Development Plan**

**Apply NL and Approve NL Development Plan**

**A request to establish a Neighborhood Landmark District and for approval of the Neighborhood Landmark Development Plan for property located at 358 Bellevue Road, approximately 310 feet east of Old Harding Pike (0.76 acres), zoned as Single-Family Residential (RS15), to allow for an existing single-family dwelling unit to be used for personal care instruction and a residence.**

**Existing Zoning**  
RS15 District

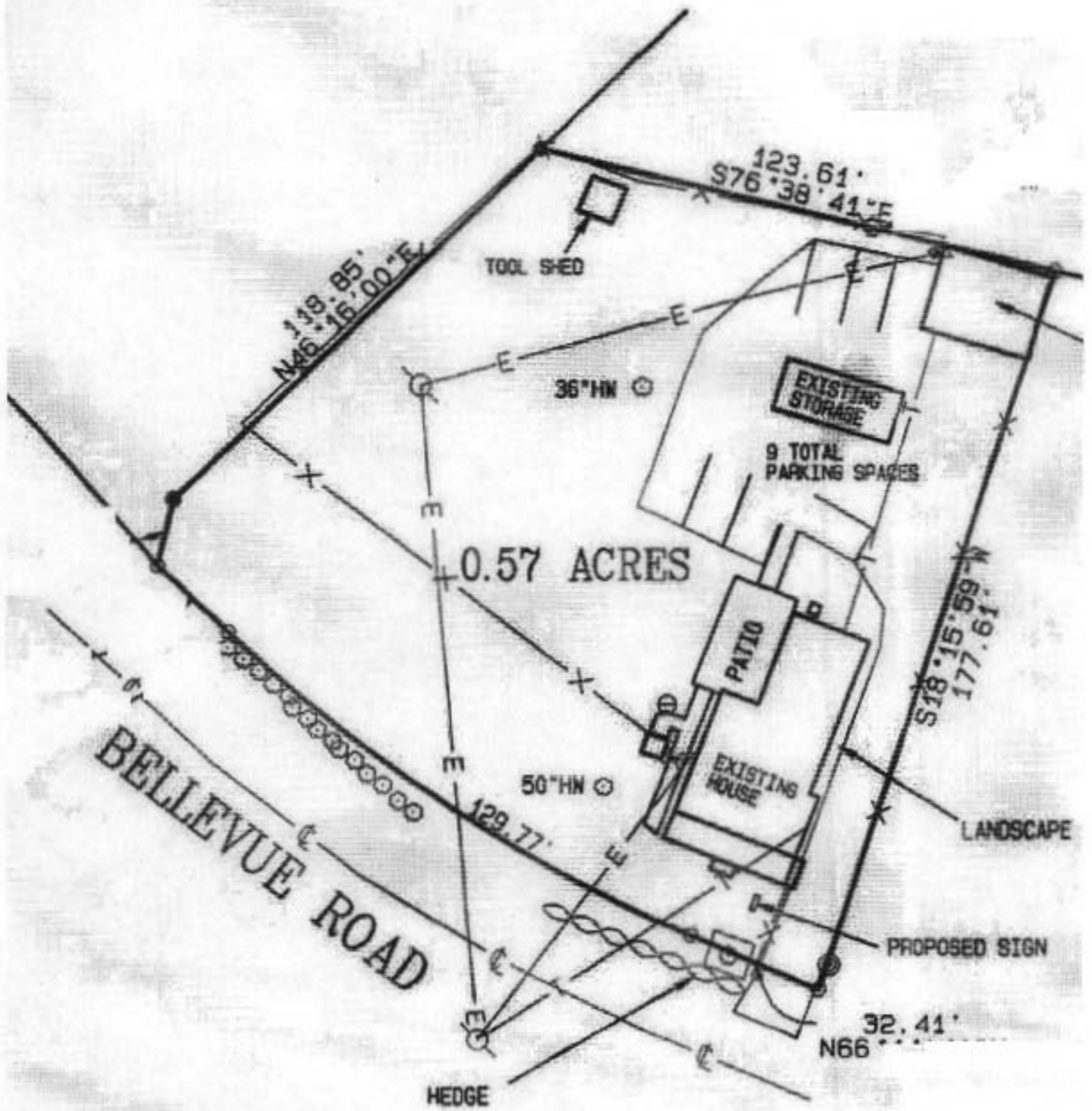
RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

**Proposed Zoning**  
Neighborhood Landmark District (NL)

The NL district is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

Under the 17.36.420 of the Zoning Code, a neighborhood landmark is defined as a feature that “has historical, cultural, architectural, civic, neighborhood, or archaeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.” To be eligible for application of the Neighborhood Landmark District, a property must meet one or more of the criteria set out in 17.36.420, which are:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community.







## Metro Planning Commission Meeting of 05/27/2010

3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community;
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

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### CRITICAL PLANNING GOALS

N/A

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### CRITERIA FOR CONSIDERATION FOR ESTABLISHMENT OF NL DISTRICT

The property at 358 Bellevue Road would also have to meet the 6 criteria for consideration outlined in Section 17.40.160 of the Zoning Code:

1. The feature is a critical component of the neighborhood context and structure.
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.
3. The only reason to consider the application of the NL is to protect and preserve the identified feature.
4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the NL designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate NL Development Plan as a means of preserving the designated feature.





## Metro Planning Commission Meeting of 05/27/2010

6. All other provisions of this section have been followed.

### STAFF FINDINGS

The purpose of this Neighborhood Landmark District is to preserve and protect neighborhood features that are important to maintain and enhance the neighborhood character. The property at 358 Bellevue Road provides a historic link to residential development in Bellevue in the early-1900s and also embodies the prevailing residential form along its portion of Bellevue Road.

A letter from the applicant describes the intersection of Old Harding and Bellevue Rd. as the historic heart of Bellevue. The letter suggests that the current residence may have served civic and commercial functions throughout its history due to its central location and proximity to commercial activity. At the time of its construction, Bellevue was a sparsely populated community. The dwelling is one of a small number of remaining residential structures related to the historic Bellevue location. Because of this, this property is identified by the Metro Historic Commission as Worthy of Conservation. This property is also part of a node of historic Bellevue structures when combined with the adjacent property at 356 Bellevue Road, which contains Bellevue's historic post office building, and several other historic structures located near the Old Harding Road and Bellevue Road intersection.

The property at 358 Bellevue Road embodies the prevailing residential form along its portion of Bellevue Road. The single-family dwelling within a 0.76 acre site is consistent with most properties along the same section of Bellevue Road. The subject property provides a critical edge to this residential section of Bellevue Road. To the west of the site is the commercially zoned area surrounding the intersection of Old Harding Pike and Bellevue Road. An automobile service station, located between the subject property and Old Harding Road, presents a contrasting form from the consistent single-family residential form to the east. The maintenance of the current residential form at the project site will serve to maintain appropriate visual delineation of the contrasting forms of development.

The size of the lot combined with its zoning presents a threat to the preservation of the existing development on the subject property. The property could be divided into





## Metro Planning Commission Meeting of 05/27/2010

two single-family lots under the current RS15 zoning. The property lacks historic designation requiring review of alteration or demolition of the current structure. The applicant proposes to maintain the current form of development on this lot while allowing for the inclusion of a commercial use with the existing residential use. The proposed personal care services use would allow the site to be used to teach pilates and yoga classes.

Staff finds that the proposed NL meets all criteria for consideration of establishment of a NL district. The existing residential structure is strongly linked to the past and present of its Bellevue locale. The inclusion of a limited commercial use within the neighborhood landmark district will aid in the preservation of the structure and property.

### DEVELOPMENT PLAN DETAILS

The establishment of the Neighborhood Landmark District requires the approval of Council. The development plan to implement the District requires the approval of the Planning Commission only. The applicant has requested concurrent approval of the District and the implementing development plan.

#### Development Plan

The applicant proposes no changes to the current layout of the property. The existing residential dwelling and the two existing out-buildings will be maintained in their current form. This Neighborhood Landmark does not allow for new construction or the demolition or alteration of existing structures, other than for routine maintenance.

#### Access and Parking

Vehicular access to the site is available through a gravel driveway connection to Bellevue Road. A rear parking area and garage structure provides parking for the current residential use and is intended to accommodate customers related to the proposed commercial use.

The applicant proposes to maintain the gravel driveway and parking area as it currently exists. The Zoning Code requires paving of parking areas with five or more parking spaces. Conditions of approval limiting the intensity of the proposed commercial use and requiring a revised parking layout have been added to allow the applicant to maintain the gravel surface. The nature of the proposed use will allow the applicant to schedule visitors, ensuring that the maximum limit is not breached.



## Metro Planning Commission Meeting of 05/27/2010

### Signage

One ground sign is proposed with the neighborhood landmark district. It will be a hanging sign with a maximum height of 6 feet. The display area will be 18 inches by 24 inches. External lighting is proposed. The proposed sign is relatively small in scale and is appropriate within the existing development.

### STORMWATER RECOMMENDATION

If the existing gravel drive is to be overlaid with asphalt, then no stormwater permit will be required. If grading is to take place, then a stormwater permit may be required. If a stormwater permit is required, then this should be approved prior to development plan approval. Add a note to the development plan if no grading is to take place.

### PUBLIC WORKS RECOMMENDATION

Provide the proper surface for driveway and parking area as per Metro Codes.

### HARPETH VALLEY UTILITIES DISTRICT RECOMMENDATION

Water and Sewer service for subject property is available and has been approved by the District. All applicable charges have been paid by the owner.

### STAFF RECOMMENDATION

Staff recommends that the Neighborhood Landmark District be approved as it meets the criteria for this type of District. The property at 358 Bellevue Road provides a historic link to residential development in Bellevue in the early-1900s and also embodies the prevailing residential form along its portion of Bellevue Road. The Neighborhood Landmark District will help to preserve development consistent with its surroundings and historic context.

Staff recommends that the development plan be approved with conditions as it implements the proposed Neighborhood Landmark District does not allow for new construction or the demolition or alteration of existing structures, other than for routine maintenance.

### DEVELOPMENT PLAN CONDITIONS

1. The number of customers concurrently visiting the property shall not exceed four.
2. Prior to use and occupancy permit approval, the property shall be connected to Metro sewer.
3. The parking lot layout shall be revised to provide a minimum of four uncovered parking spaces within the rear parking area. Five or more parking spaces shall



## Metro Planning Commission Meeting of 05/27/2010

meet the parking lot paving requirements of the Zoning Code. Paving of portions of this area with a dustless surface may be required in order to comply with ADA requirements.

4. Uses permitted within this Neighborhood Landmark are fitness center and one single-family dwelling unit. No other uses shall be permitted.
5. 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.
6. Stormwater requirements shall be included on the corrected copy of the Neighborhood Landmark development plan.
7. A corrected copy of the Neighborhood Landmark development plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to any permit applications for this property, and in any event no later than 120 days after the effective date of the ordinance establishing the Neighborhood Landmark District.
8. Planning Commission approval of the development plan is conditioned upon Council approval of the NL District.
9. The Planning Commission shall approve any changes to the development plan.

**SEE NEXT PAGE**



2010NL-002-001  
 Larry's Grand Ole Garage  
 Map: 043-14 Parcels: 035, 036  
 Madison Community Plan  
 Council District 9 - Jim Forkum



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

**Neighborhood Landmark 2010NL-002-001**  
**Larry's Grand Ole Garage**  
9 – Forkum  
3 – North  
Lonnie Jones, owner

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

Swaggart  
*Approve Neighborhood Landmark District*  
*Approve with conditions the Neighborhood Landmark Development Plan*

**APPLICANT REQUEST**

**Apply a Neighborhood Landmark District**  
**Approve Neighborhood Landmark Development Plan**

**Apply NL and Approve NL Development Plan**

A request to establish a Neighborhood Landmark District and for approval of the Neighborhood Landmark Development Plan for properties located at 108 and 112 Leena Belle Avenue, at the northwest corner of Leena Belle Avenue and E. Maple Street (1.26 acres), zoned as Single-Family Residential (RS5), to permit a residence and a bluegrass music facility (commercial amusement indoor/outdoor).

**Existing Zoning**  
RS5 District

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

**Proposed Zoning**  
Neighborhood Landmark District (NL.)

The NL district is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood or community.

Under the 17.36.420 of the Zoning Code, a neighborhood landmark is defined as a feature that "has historical, cultural, architectural, civic, neighborhood, or archaeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood." To be eligible for application of the Neighborhood Landmark District, a property must meet one or more of the criteria set out in 17.36.420, which are:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community.





## Metro Planning Commission Meeting of 05/27/2010

3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community;
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

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**CRITICAL PLANNING GOALS**

N/A

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**CRITERIA FOR CONSIDERATION FOR ESTABLISHMENT OF NL DISTRICT**

Section 17.40.160 of the Zoning Code requires that NL districts meet the following six criteria:

1. The feature is a critical component of the neighborhood context and structure.
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.
3. The only reason to consider the application of the NL is to protect and preserve the identified feature.
4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the NL designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate NL Development Plan as a means of preserving the designated feature.



## Metro Planning Commission Meeting of 05/27/2010

6. All other provisions of this section have been followed.

### STAFF FINDINGS

Staff finds that the proposed Neighborhood Landmark meets the criteria for a NL. The purpose of this NL is to recognize a site of cultural significance for Madison and Nashville – Larry's Grand Ole Garage (LGOG). LGOG is a bluegrass music venue, classified as commercial amusement indoor/outdoor that has been operating at 549 East Maple Street for many years. Through the years people have been gathering at LGOG every Tuesday and second and fourth Saturday nights creating an important gathering place for local community residents to socialize.

LGOG is an anomaly that has become a place of significance in the community. While a non-residential zoning would not be appropriate at this location, the NL will preserve this community asset and set parameters that will ensure that it will not evolve into something that will negatively impact the community.

### DEVELOPMENT PLAN DETAILS

The establishment of the Neighborhood Landmark District requires the approval of Council. The development plan to implement the District requires the approval of the Planning Commission only. The applicant has requested concurrent approval of the District and the implementing development plan.

#### Current Conditions

The property contains a single-family residence which is occupied by the owner/applicant, and several accessory structures. Among the several small accessory structures are a small shop and a large covered garage, which are both used for the music venue.

#### NL Development Plan

The development plan does not propose any new construction, but only recognizes the existing improvements on the property – a single-family residence and several accessory structures. The plan does permit expansion of the residential use, but it does *not* permit any expansion of the commercial amusement indoor/outdoor use.

#### Street Closure

The applicant has submitted a mandatory to close Lena Belle Avenue, and an un-named alley bordering the northern property line. Staff is recommending approval of the mandatory and if approved by Metro Council the acreage of the property and NL will expand slightly once the street and alley have been abandoned.



## Metro Planning Commission Meeting of 05/27/2010

### Access and Parking

Access to the site is currently from Lena Belle Avenue. If Lena Belle is abandon then access will be from East Maple Street. Parking for events is located off site, across the street from LGOG and on property owned and operated by the Madison Little League Baseball Inc. The Madison Little League Baseball Inc. has entered into a parking agreement with LGOG, and the agreement is on file with the Planning Commission. If the parking agreement is ever terminated, then the commercial amusement indoor/outdoor uses will be required to cease until other parking arrangements are made. Any new parking arrangements including on site parking would require approval from the Planning Commission.

### Hours of Operation

Days of operation would be limited to Tuesdays and the second and forth Saturday of each month. Events shall not go past 10 P.M.

### Signage

The NL recognizes the existing small sign which is on the small shop fronting on Lena Belle. No additional signs are permitted and the existing sign can not be relocated to where it would be visible from East Maple. The NL does not prohibit the existing sign from being replaced, but it does limit the sign area to 20 SF, and it can not be illuminated in any way.

### Other Standards

Other standards in the development plan include:

- Events shall be limited to no more than 150 persons.
- No amplified music is permitted.
- Beer and alcohol may not be sold on the premises.

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### STORMWATER RECOMMENDATION

Approved

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### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

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### STAFF RECOMMENDATION

Staff recommends that the Neighborhood Landmark District be approved. The proposed District meets the criteria for consideration found in the Zoning Code, and it will protect an important community asset.

Staff recommends approval with conditions of the development plan as it implements the proposed Neighborhood Landmark District. The development plan is consistent with code requirements, and will ensure that



## Metro Planning Commission Meeting of 05/27/2010

the non-residential use permitted in the District does not negatively impact the neighborhood.

### DEVELOPMENT PLAN CONDITIONS

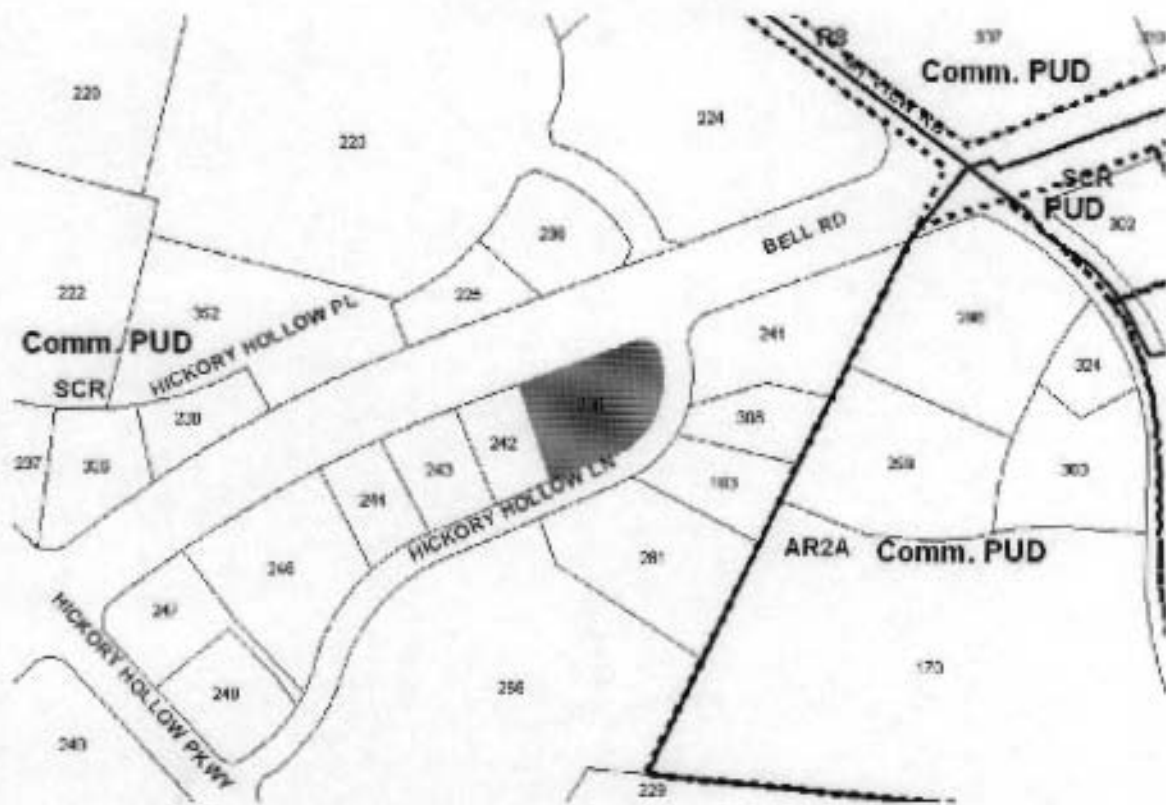
1. Planning Commission approval of the development plan is conditioned upon Council approval of the NL District.
2. The Planning Commission shall approve any changes to the development plan.
3. Uses permitted within this Neighborhood Landmark that are not permitted by the current RS5 base district are commercial amusement indoor/outdoor.
4. The two properties within the NL (Parcel 035 and 036) shall be consolidated by instrument or plat, prior to the issuance of any permits.
5. 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**



# **REVISED SITE PLAN**





**1-74P-001**  
 Hickory Hollow Mall  
 Map: 163-00 Parcel: 230  
 Antioch/Priest Lake Community Plan  
 Council District 32 - Sam Coleman



<b>Project No.</b>	<b>1-74P-001</b>
<b>Project Name</b>	<b>Hickory Hollow Mall (McDonald's)</b>
<b>Council District</b>	32 - Coleman
<b>School District</b>	6 - Johnson
<b>Requested by</b>	Tsquare Engineering, applicant, for McDonald's Corp., owner
<b>Staff Reviewer</b>	Johnson
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

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**APPLICANT REQUEST**

Permit a fast-food restaurant.

**Revise Preliminary PUD and Final Site Plan**

A request to revise the preliminary plan and for final approval for a portion of the Hickory Hollow Mall Commercial Planned Unit Development located at 5301 Hickory Hollow Lane, at the southeast corner of Bell Road and Hickory Hollow Lane, zoned Shopping Center Regional (SCR) (1.27 acres), to permit a 5,130 square foot fast food restaurant with 130 seats, replacing an existing fast food restaurant containing 140 seats.

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**CRITICAL PLANNING GOALS**

N/A

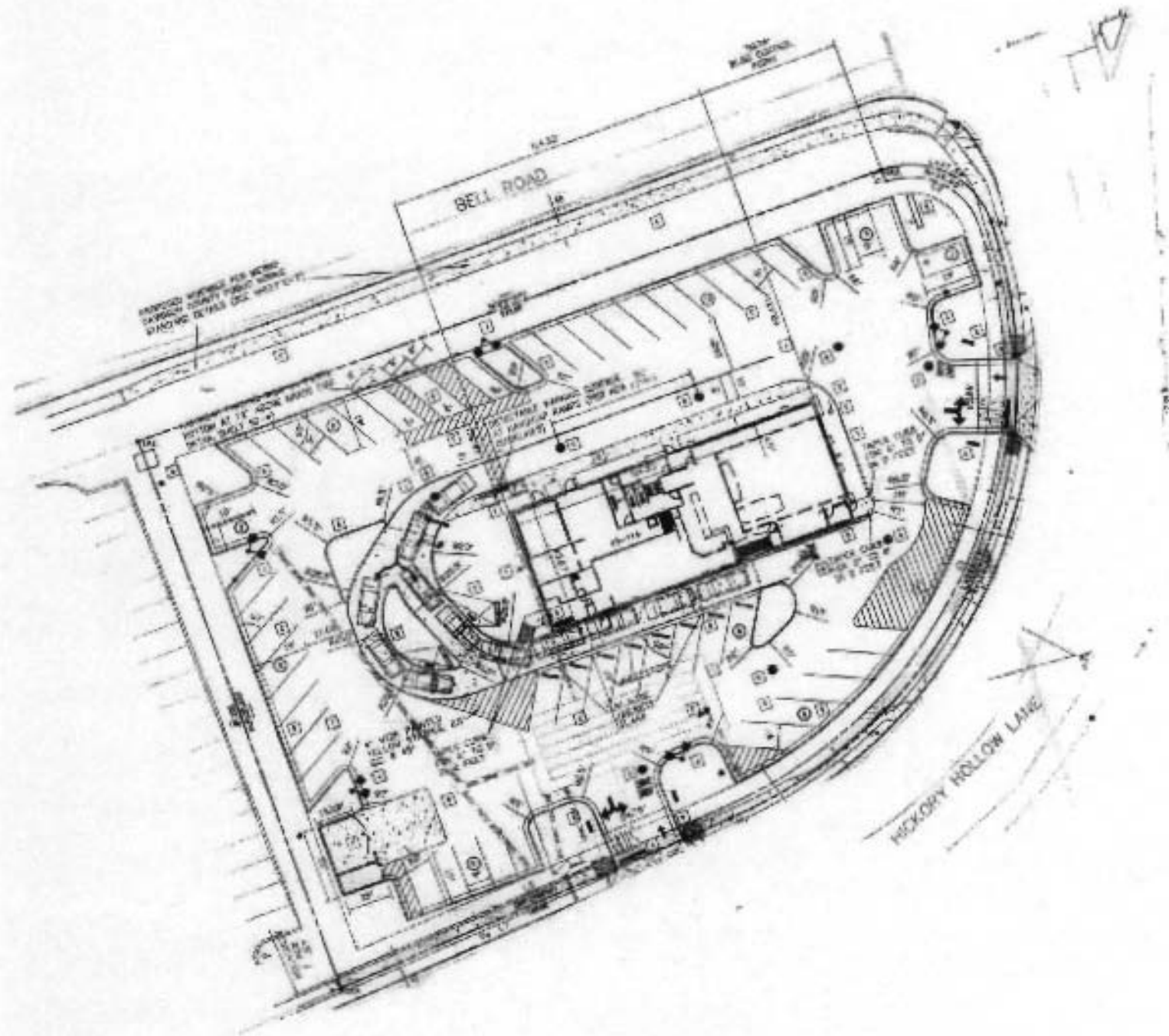
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**PLAN DETAILS**

The Hickory Hollow Mall PUD is located immediately north of Interstate 24 along Bell Road in southeast Nashville. It includes the Hickory Hollow Mall and much of the surrounding commercial area along Bell Road and Hickory Hollow Lane.

This preliminary PUD revision replaces an existing McDonald's fast food restaurant with a new McDonald's fast food restaurant in the same location. Outside of the interior layout of the restaurant and a revised drive-thru layout, the design of the site remains largely unchanged.

The property is accessed from two existing driveway connections to Hickory Hollow Lane. Construction of sidewalks is required with this application. The site plan illustrates sidewalks along Bell Road and Hickory Hollow Lane. A condition of approval has been added to work with Metro Public Works and Metro Planning to provide a sidewalk layout that attempts to preserve existing trees on-site and within adjacent right-of-way.



REVISIONS SHOWN FOR WORK  
EXISTING TANGLED FENCED AREA  
TO BE REMOVED

BELL ROAD

NEW MAIL ROOM

REPLACE GRASS WITH ASPHALT  
EXISTING TANGLED FENCED AREA  
TO BE REMOVED

HICKORY HOLLOW LAKE



## Metro Planning Commission Meeting of 05/27/2010

### PUBLIC WORKS RECOMMENDATION

#### Revise and Resubmit

1. The developer's final construction drawings shall comply with the design regulations established by the Department of Public Works. Final design may vary based on field conditions.
2. Dedicate sufficient ROW or provide a pedestrian easement for sidewalk construction where necessary.

#### Traffic Comment

1. Identify pole guy wires with regards to proposed sidewalks.
2. Modify traffic signal to accommodate pedestrian crossing on Hickory Hollow Lane at Bell Rd as determined by the Metro Traffic Engineer.
3. Modification shall include installation/ modification of pavement markings and signal related appurtenances per MUTCD.

### STORMWATER RECOMMENDATION

1. Provide Grading Permit fee (\$814) and recording fees.
2. Provide NOC.
3. Provide a construction entrance (or is the existing access being used). Either or, please specify. Also, remove erosion control measures from the ROW. Change note G on C3 to specify 15 days.
4. Add the following note to the plans: Contractor to provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during preconstruction meeting.
5. Provide all civil details to plans (single inlet, double inlet, exact water quality unit detail with actual inverts and sizes (the one provided was blurry).
6. The interior inlets spread and spread depth seemed excessive (may overtop and bypass). Reduce spread and spread depth.
7. Provide complete Contech storm sizing calculations (show the cartridges required for mass and volume calculations).

### STAFF RECOMMENDATION

Staff recommends approval with conditions. The proposed changes are consistent with the approved plan.



## Metro Planning Commission Meeting of 05/27/2010

### CONDITIONS

1. Prior to building permit approval, the applicant shall receive approval from Metro Public Works and Metro Planning for a sidewalk layout that preserves existing trees on-site and within adjacent right-of-way to the greatest extent possible. A tree protection plan shall be submitted for trees adjacent to the new sidewalk.
2. A replacement tree shall be provided for each tree that must be removed for sidewalk installation and shall be planted with a minimum 2 inch caliper size. Replacement trees shall be shown on the revised site plan. Replacement trees shall be planted within the right-of-way and will not count for Tree Density Unit requirements of the Zoning Code.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. 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.
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 Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
7. 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.
8. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes



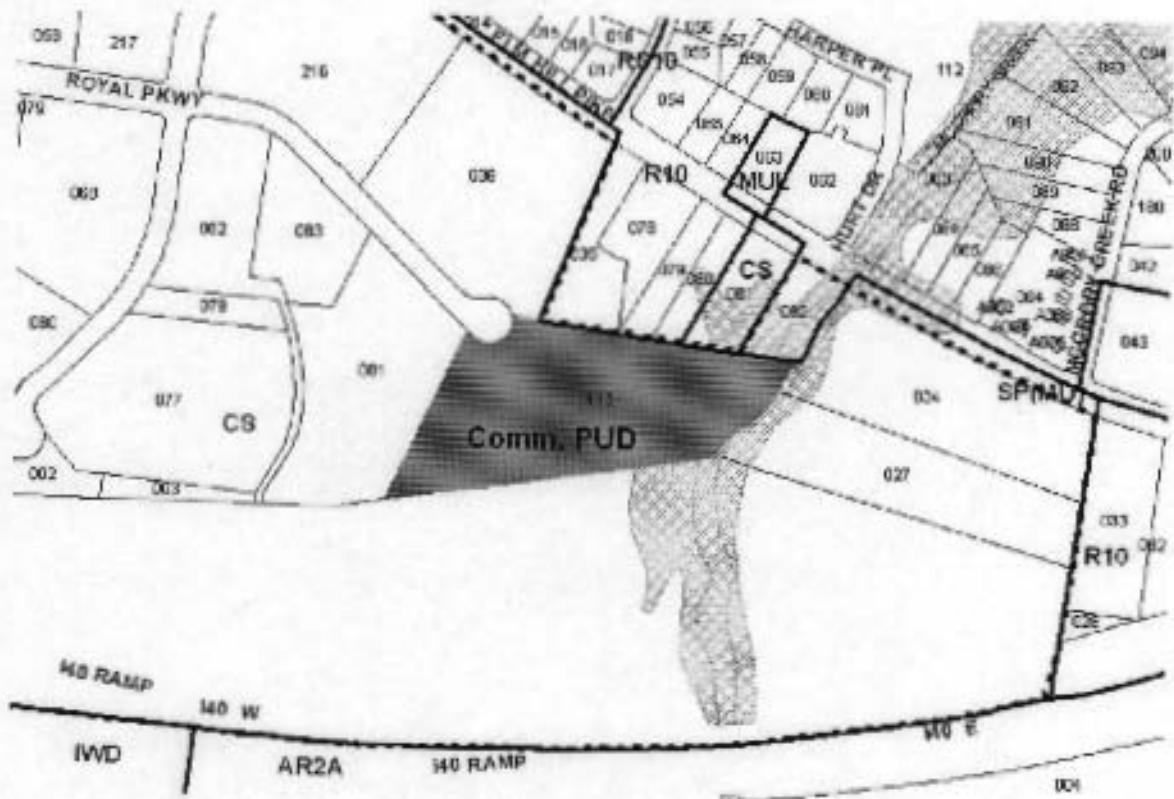


## Metro Planning Commission Meeting of 05/27/2010

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.

9. 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.





**46-83P-001**  
 Metropolitan Airport Center  
 Map: 108-02 Parcel: 113  
 Donelson/Hermitage/Old Hickory  
 Council District 14 – James Bruce Stanley



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

**Planned Unit Development 46-83P-001**  
**Metro Airport Center (Home 2 Suites By Hilton)**

**Council District**  
**School District**  
**Requested by**

14 – Stanley  
4 – Glover  
Dean Design Group, applicant for Pinnacle Nashville Airport, owner

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

Swaggart  
*Defer to June 10, 2010. If the Stormwater technical review is completed prior to the meeting with a recommendation of approve or approve with conditions, then staff recommends approve with conditions.*

**APPLICANT REQUEST**

**Revise PUD and final site plan to permit a hotel and office.**

**Revise PUD and Final Site Plan**

**A request to revise the preliminary plan and for final approval for a portion of the Metropolitan Airport Center Commercial Planned Unit Development located at 840 Royal Parkway, approximately 1,025 feet east of Airport Center Drive, zoned Commercial Service (CS) (6.95 acres), to permit a 62,487 square foot hotel in Phase One and a 48,036 square foot office building in Phase Two.**

**CRITICAL PLANNING GOALS**

N/A

**REQUEST DETAILS**

The request is to revise the last approved preliminary plan for a portion of the Metro Airport Center Planned Unit Development. The approximately 6.9 acres site is currently vacant, and it is located at the eastern terminus of Royal Parkway.

The original PUD was approved in 1983. The last approved plan includes 1,107,974 sq. ft. of various hotel, office and commercial uses. This site was approved for 73,500 sq. ft. of office.

The plan calls for a total of 110,523 sq. ft. of floor area. Phase One is for a five-story, 62,487 sq. ft. hotel with 105 rooms, and Phase Two is for a four-story, 48,036 sq. ft. office building. While this request will increase the floor area over what was last approved by Council, the increase is not more than ten percent; therefore, the Planning Commission can approve the request as a revision.





## Metro Planning Commission Meeting of 05/27/2010

It is important to note that the Zoning Administrator (ZA) has waived the buffer requirement along the northern property line. The property is zoned for residential, but the long range plan calls for it to become commercial. While the ZA has waived the buffer requirement, the applicant has provided additional landscaping along the property line shared with the James Buchanan Cemetery. The cemetery is historic, and the additional landscaping will provide additional screening between the cemetery and the development.

Staff has no concerns with the request. As proposed, the plan is consistent with all zoning requirements.

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### **PUBLIC WORKS RECOMMENDATION**

No Exceptions Taken

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### **STORMWATER RECOMMENDATION**

Under technical review

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### **STAFF RECOMMENDATION**

At this time, the Stormwater review is in progress. If the review is completed by the May 27, 2010, Planning Commission meeting with a recommendation of approve or approve with conditions, staff recommends that this request be approved with conditions.

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### **CONDITIONS**

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four



## Metro Planning Commission Meeting of 05/27/2010

additional copies of the approved plans have been submitted to the Metro Planning Commission.

5. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
6. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.