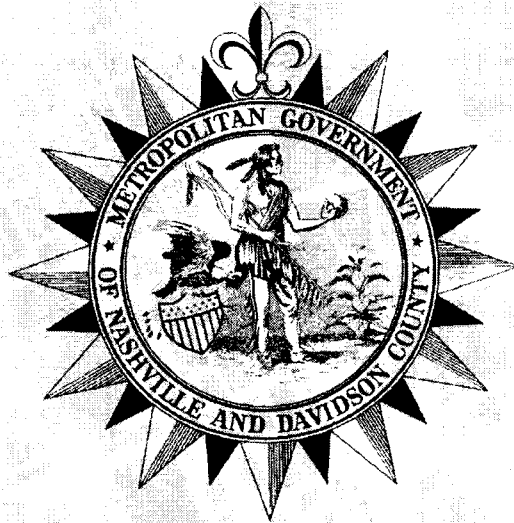


# Metropolitan Planning Commission



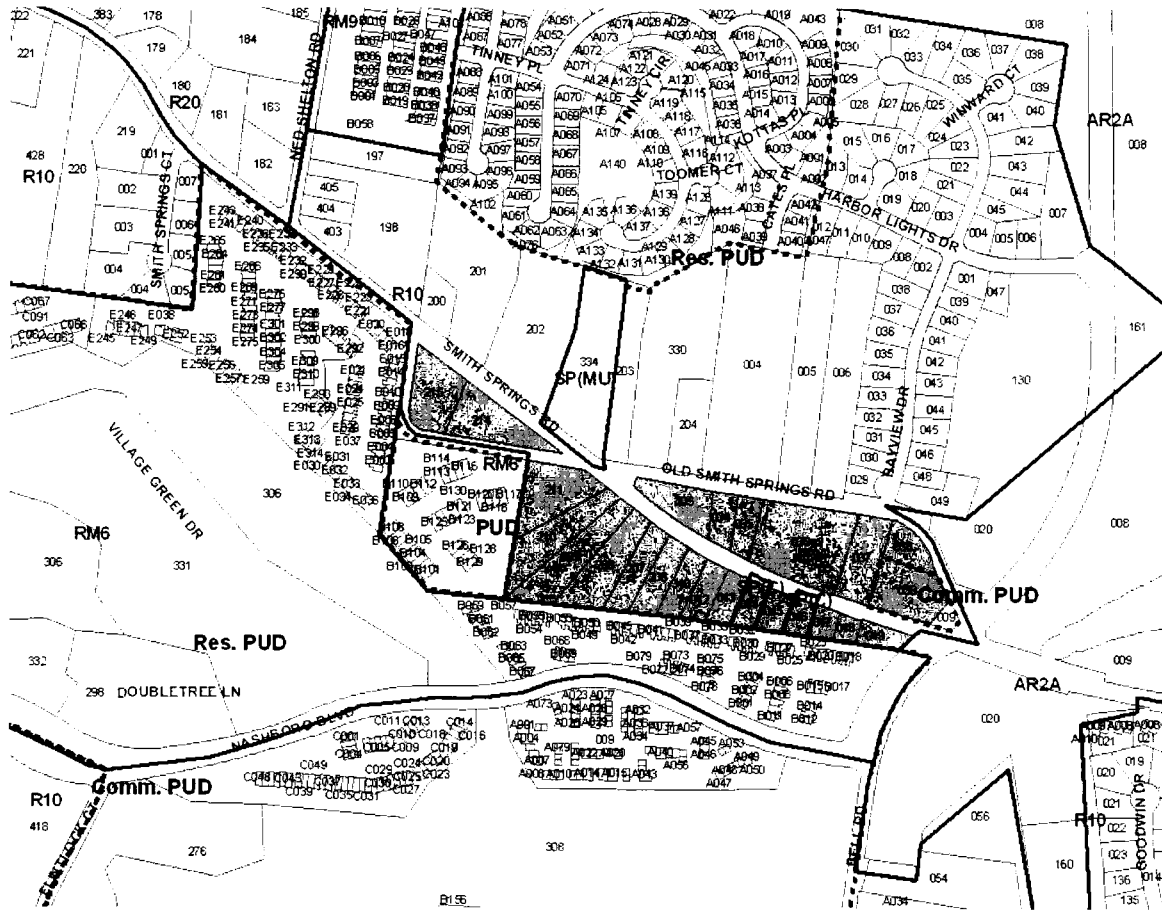
## Staff Reports

July 28, 2011

*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**

- **Community Plan Amendment**
- **Specific Plan**



**2011CP-013-002**  
**ANTIOCH PRIEST LAKE COMMUNITY PLAN AMENDMENT**  
 Map 135, Parcel(s) 205-211, 214, 215, 340  
 Map 136, Parcel(s) 034-039, 042-049  
 Antioch - Priest Lake  
 29 - Vivian Wilhoite



**Project No.** Community Plan 2011CP -013-002  
**Project Name** Amend the *Antioch – Priest Lake Community Plan: 2003 Update*  
**Associated Case** 2011SP-017-001  
**Council District** 29 – Wilhoite  
**School Districts** 6 – Mayes  
**Requested by** Metro Planning Department  
**Deferral** Deferred from the June 9, 2011 and June 23, 2011, Planning Commission meetings

**Staff Reviewer** Adams  
**Staff Recommendation** *Disapprove*

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**APPLICANT REQUEST**

**Amend land use policy from Neighborhood General (NG) to Neighborhood Center (NC)**

**Amend the Community Plan**

**A request to amend the Antioch – Priest Lake Community Plan: 2003 Update to change the Land Use Policy from Neighborhood General (NG) to Neighborhood Center (NC) for various properties located along Smith Springs Road and Bell Road between Old Smith Springs Road and Bell Road (16.16 acres).**

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**CRITICAL PLANNING GOALS**

N/A

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**ANTIOCH COMMUNITY PLAN**

**Current Policy**

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.

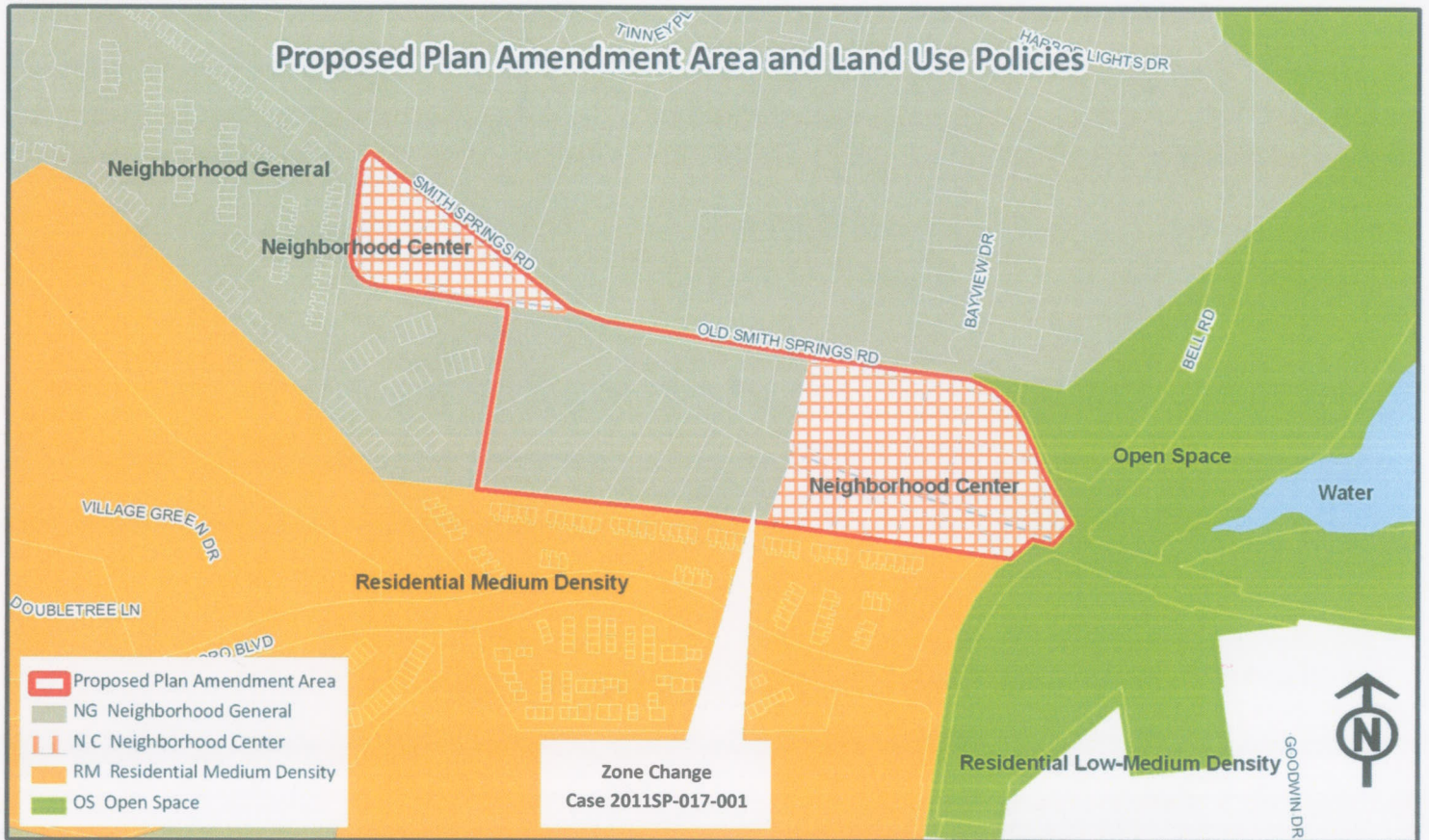
**Proposed Policy**

Neighborhood Center (NC)

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

Appropriate uses include single- and multi-family residential, public benefit activities and small scale office and commercial uses.

# Proposed Plan Amendment Area and Land Use Policies





## Metro Planning Commission Meeting of 07/28/2011

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### BACKGROUND

Case 2011SP-017-001 considers a zone change from R10 district to Specific Plan - Mixed Use (SP- MU) district on property located at 2631 Smith Springs Road. A zone change from R10 to OR20 was originally considered on this property. This original zone change request prompted the Planning Commission to defer the case so that Planning Staff could consider the land use policy for this property and a larger area, host a community meeting on the land use policy and determine whether an amendment to the land use policy was warranted. Similar to the original OR20 zone change request, the proposed SP-MU zoning district is also not consistent with the existing Neighborhood General land use policy.

The proposed SP – MU does permit residential uses, which are consistent with the land use policy, it also permits non-residential uses which are not consistent with the land use policy. Therefore, the following analysis still considers the appropriateness of encouraging non-residential land uses on this property and a larger area. It should be noted that Neighborhood General Policy permits transitional office, but only if specified in a detailed design plan or a special policy; neither exists for this Neighborhood General Policy area.

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### COMMUNITY PARTICIPATION

An early postcard notification and regular notice announcing the potential plan amendment was sent to property owners within 1,300 feet of the potential plan amendment area. There was overlap with property owners within the 1,300 foot boundary and neighborhood groups within the 1,300 foot boundary; members of those neighborhood groups received notice as property owners. The community meeting and public hearing notice was also posted on the Planning Department website.

A community meeting was held on Tuesday May 24<sup>th</sup>, 2011 at Una Church of Christ, from 6:00 pm to 7:15 pm. There were 11 people in attendance. Eight of the attendees reside on Smith Springs Road.

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### ANALYSIS

#### Physical Site Conditions

The plan amendment area that was considered has minimal physical constraints; there is no floodplain or floodway in the area. The 2010 inundation maps also showed no indication of flooding. There are some topography issues in the plan amendment area; Smith Springs Road rises in elevation moving west away from Bell Road. The



## Metro Planning Commission Meeting of 07/28/2011

### Land Use

residential properties adjacent to Smith Springs Road in this area are at a lower elevation than Smith Springs Road.

Surrounding land uses include single-family residential, multi-family in the form of town homes and stacked flats, commercial, and office. Commercial is located at the Bell Road and Smith Springs Road intersection, office exists just north of the plan amendment area and multi-family is to the south of the plan amendment area. There is no connection to the multi-family to the south of the plan amendment area. Single-family residential is the dominant land use within and surrounding the plan amendment area.

### Access

Properties in the potential plan amendment area have individual driveways with access from either Smith Springs Road or Old Smith Springs Road.

Some properties have double frontage, but only take access from Old Smith Springs Road; these properties are in the adjoining Neighborhood Center Policy area. If commercial, office, or mixed use land uses develop in this area, access management and the consolidation of access points should be a consideration.

### Development Pattern

The development pattern in the area is primarily suburban residential. There is some commercial in the area in the area identified as the neighborhood center, at the corner of Smith Springs Road and Bell Road.

There is a clear distinction between the neighborhood center and the residential (Neighborhood General) portion of Smith Springs Road. Where Neighborhood Center Policy is currently applied, small parcels exist on the south side of Smith Springs Road and large parcels exist on the north side of Smith Springs Road. On the south side, commercial development is occurring in the existing residential buildings; two Specific Plan zone districts permitting commercial land uses exist on the south side of Smith Springs Road. The specific plan zone district that is adjacent to the Neighborhood General Policy area was designed to provide the transition and currently serves as a boundary between the residential and non-residential land uses. On the north side, large parcels provide development potential for the commercial and mixed-use envisioned in the Neighborhood Center Policy.

The character and development pattern along Smith Springs Road changes moving west away from the





## Metro Planning Commission Meeting of 07/28/2011

Neighborhood Center. Where Neighborhood General Policy is applied, parcels become larger and the setbacks become deeper, which presents a more rural residential pattern. Smith Springs Road is also at a slightly higher elevation than the residential properties in this area, which creates a separation between the building and the street. This would not be ideal for creating a walkable environment along Smith Springs Road as would be appropriate in Neighborhood Center.

### Historic Features

There are no recognized historic features associated with this site.

### Community Input

The community meeting was held on Tuesday May 24<sup>th</sup>, 2011; 11 people were in attendance, eight reside on Smith Springs Road. Overall, the community was not supportive of a plan amendment to Neighborhood Center for the entire study area naming traffic and access, and buffering as broad issues of concern. During the meeting, there was discussion about the use of the Specific Plan (SP) zone district to control the aforementioned issues for the property located at 2631 Smith Springs Road, in addition to amending the land use policy for that property. While this idea was discussed, it did not influence the opinion of the larger group and the consensus remained; the application of Neighborhood Center Policy is not appropriate for the entire study area.

### Conclusion

The Metropolitan Planning Commission requested that staff consider whether it was appropriate to amend the Neighborhood General Policy in the area to Neighborhood Center Policy. This request was in response to the aforementioned zone change request and similar requests for commercial and office development in this area.

Staff has determined that there is a clear boundary between where the Neighborhood Center ends and where residential development begins. This boundary is a result of the topography and the development pattern in this area. This boundary was further distinguished with the development of the concrete block wall that was associated with the existing SP at the edge of the neighborhood center. The concrete wall was established to limit the expansion of the neighborhood center and to set a clear policy boundary; that boundary should not be altered.

Staff also compared leasing rates for traditional commercial/office space with single-family home prices in



## Metro Planning Commission Meeting of 07/28/2011

the Antioch- Priest Lake community. Leasing rates were affordable; they were still more expensive than mortgaging a single-family home. Therefore staff understands that purchasing a residential structure for the use of commercial or office is a viable option for business owners in areas where home prices are inexpensive. However, the application of more intense land use policies in areas that are currently residential, should consider the impact on adjacent residential, the viability of future and existing land uses, and the built environment's ability to create a pedestrian friendly and sustainable 'center'.

These issues were considered when the Neighborhood Center Policy was applied at the intersection of Smith Springs Road and Bell Road, when the current boundary between Neighborhood Center and Neighborhood General Policy were set. Staff has considered the need for additional commercial and office development, the potential for transition, and the viability of the existing residential development and the existing office and commercial development in the area, and found that the current boundary should not be altered.

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### **STAFF RECOMMENDATION**

Staff recommends disapproval. Staff proposes no change from the existing policy.

**SEE NEXT PAGE**



**2011SP-017-001**  
 2631 SMITH SPRINGS ROAD (PRELIM & FINAL)  
 Map 136, Parcel(s) 043  
 Antioch - Priest Lake  
 29 - Vivian Wilhoite



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

**Zone Change 2011SP-017-001**  
**2631 Smith Springs Road SP**  
**2011CP-013-002**  
BL2011-935  
29 – Wilhoite  
6 – Mayes  
Keith Jordan, owner  
Deferred from the April 14, 2011, April 28, 2011, June 9, 2011 and June 23, 2011, Planning Commission meetings

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

Swaggart  
*Disapprove*

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**APPLICANT REQUEST**

**Rezone to permit single and two-family residential, personal care instruction, general office or medical office.**

**Preliminary and Final SP**

**A request to rezone from Single and Two-Family Residential (R10) to Specific Plan- Mixed Use (SP-MU) zoning and for final site plan approval for property located at 2631 Smith Springs Road, approximately 760 feet west of Bell Road (0.36 acres), to permit residential and low intensity non-residential uses including a single-family residential dwelling unit, a two-family residential dwelling unit, personal care instruction (limited to a maximum of 2,000 square feet), general office (limited to a maximum of 2,000 square feet), and/or medical office (limited to a maximum of 2,000 square feet). (Formerly case # 2011Z-002PR-001)**

**Existing Zoning**  
R10 District

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

**Proposed Zoning**  
SP-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 single and two-family residential, personal care instruction, general office and medical office.



## Metro Planning Commission Meeting of 07/28/2011

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### DEFERRAL

This request was originally deferred from the April 14, 2011, Planning Commission meeting to the April 28, 2011, meeting. In the deferral on April 14, 2011, the Commission requested that staff look at a possible land use policy change for the property requested to be rezoned and/or the area surrounding the subject property.

Staff presented findings at the April 28, 2011, Commission meeting. Staff recommended that an area between Smith Springs Road and Old Smith Springs be considered for a possible policy amendment. Staff further recommended that the request be deferred to the June 9, 2011, Commission meeting because the amendment would move the policy from residential to non-residential and would require a community meeting. In support of staff's recommendation, the Commission deferred the request to the June 9, 2011, meeting.

A community meeting was held on Tuesday, May 24, 2011, at Una Church of Christ, from 6:00 pm to 7:15 pm. There were 11 people in attendance. Eight of the attendees reside on Smith Springs Road. After the meeting and after further analysis, staff is recommending that the proposed policy change be disapproved (see associated community plan amendment 2011CP-013-002).

After the community meeting, the applicant requested that his application be amended from OR20 to SP-MU.

### Council Hearing

On July 5, 2011, Metro Council approved a special public hearing for this request. The hearing will be held on August 2, 2011.

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### CRITICAL PLANNING GOALS

N/A

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### ANTIOCH/PRIEST LAKE COMMUNITY PLAN

#### Existing Policy

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.



## Metro Planning Commission Meeting of 07/28/2011

### Consistent with Policy?

No. While the proposed SP-MU zoning district does permit residential uses, which are consistent with the land use policy, it also permits non-residential uses which are not consistent with the land use policy. It is important to note that NG policy does permit transitional uses such as office; however, the policy only supports these type uses when it is specifically called out in a Detailed Neighborhood Design Plan (DNDP) or a special policy. This property is not in a DNDP nor is there a special policy calling for a transitional use. Also, the adjacent SP district to the east, which is in Neighborhood Center policy, was designed to provide the transition and provide the dividing line between residential and non-residential uses. At the time this SP was approved, it was thought that the commercial and office uses would not continue to expand further outside of the Neighborhood Center policy.

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### PLAN DETAILS

The property proposed to be rezoned from R6 to SP-MU is located on the south side of Smith Springs Road, west of Bell Road. The property contains one single-family home.

### Proposed Plan

The plan does not propose any new construction, but is a regulatory plan which will limit current and future use of the property. The proposed SP district would permit single or two-family residential use, as well as personal care instruction, general office and medical office. Only one use would be permitted at any one time and the floor area for any non-residential use would be limited to 2,000 square feet. The plan also prohibits parking from being in the front and side yards.

Other standards which are not specifically specified in the proposed SP, including bulk, parking, landscaping and signage would be subject to the standards, regulations and requirements of the ON zoning district. Any new development on the property would require that an application for final site plan be submitted for review and approval by the Planning Commission with the limitations outlined in the SP regulations for this property.

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### STORMWATER RECOMMENDATION

No sign off is required



# Metro Planning Commission Meeting of 07/28/2011

## PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	0.36	4.63 D	1 U	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)	0.36	-	2,000 SF	66	9	9

Traffic changes between maximum: **R10** 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
-	-	-	-	+56	+8	+7

## STAFF RECOMMENDATION

Staff recommends disapproval because the proposed SP permits uses not consistent with the property's Neighborhood General land use policy.

## CONDITIONS (If approved)

1. Uses permitted by this SP district are limited to single and two-family residential, personal care instruction, general office or medical office.
2. Any permitted non-residential use is limited to a maximum of 2,000 square feet. Only one use is permitted at any given time.
3. Parking shall not be located within the front or side yards, but shall be limited to the rear yard only.
4. Any new construction in the SP District shall require a final site plan be submitted for review and approval by the Metropolitan Planning Commission or its designee prior to the issuance of any permits.
5. For any development standards, regulations and requirements not specifically shown on the SP plan





## Metro Planning Commission Meeting of 07/28/2011

and/or included as a condition of Commission or Council approval, residential uses on the property shall be subject to the standards, regulations and requirements of the R10 zoning district and permitted non-residential uses shall be subject to the standards, regulations and requirements of the ON zoning district as of the date of the applicable request or application.

6. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**2011SP-016-001**  
 4608 ASHLAND CITY HIGHWAY (PRELIM & FINAL)  
 Map 068, Parcel(s) 062  
 Bordeaux - Whites Creek  
 01 - Lonell Matthews, Jr.



**Project No.** Zone Change 2011SP-016-001  
**Project Name** 4608 Ashland City Highway Specific Plan  
**Council Bill** BL2011-932  
**Council District** 1 – Matthews Jr.  
**School District** 1 – Gentry  
**Requested by** Charles Huddleston, owner  
**Deferral** Deferred from the June 23, 2011, Planning Commission meeting.

**Staff Reviewer** Swaggart  
**Staff Recommendation** *Disapprove*

**APPLICANT REQUEST**

**Rezone to permit contractor supply and all other uses permitted in the AR2a zoning district.**

**Preliminary and Final SP**

**A request to rezone from Agricultural/Residential (AR2a) to Specific Plan – Mixed Use (SP-MU) zoning and for final site plan approval for property located at 4608 Ashland City Highway, approximately 3,450 feet west of Briley Parkway (5.61 acres), to permit Building Contractor Supply and all uses permitted in the AR2a zoning district.**

**Existing 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.

**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 building contractor supply and all uses permitted in the AR2a district.

**CRITICAL PLANNING GOALS** N/A

**DEFERRAL**

This request was deferred from the June 23, 2011, Planning Commission meeting.

**Council**

The council bill associated with this case was deferred indefinitely by Metro Council at its July 5, 2011, meeting.



## Metro Planning Commission Meeting of 07/28/2011

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### **BORDEAUX/WHITES CREEK COMMUNITY PLAN**

#### Residential Low Medium (RLM)

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

#### 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?**

No. While the proposed Specific Plan District would permit residential uses consistent with the land use policies, the primary intent is to permit a non-residential use that is not consistent with the RLM policy.

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### **PLAN DETAILS**

The property proposed to be rezoned from AR2a to SP-MU is located on the north side of Ashland City Highway, west of Briley Parkway. The property contains numerous structures and is currently being used for building contractor supply (construction business) and for agricultural related activities.

The property is currently zoned AR2a which does not permit commercial uses such as the existing construction business. The property owner has been cited by Metro Codes for use that is not in compliance with zoning, as well as, for the accumulation of motor vehicles and open storage. The property owner is currently working with the Codes department on all existing violations, but because the construction business is not permitted in the AR2a zoning district, the applicant has requested SP zoning in order to continue the business.

#### Proposed Plan

The plan does not propose any new construction, but is a regulatory plan which will limit current and future use of the district. The proposed district would permit building contractor supply as well as all other uses permitted by the AR2a zoning district.



## Metro Planning Commission Meeting of 07/28/2011

The SP would permit outdoor storage. Any outside storage would not be permitted within 200 feet of Ashland City Highway or within 20 feet of the east or west property line.

The SP would limit signage to one on-premises ground sign not to exceed 20 square feet and five feet in height. It would not permit a pole sign nor could the sign be lit.

Other standards which are not specifically specified in the proposed SP, including bulk, parking and landscaping would be subject to the standards, regulations and requirements of the AR2A zoning district.

### STORMWATER RECOMMENDATION

No sign off is required

### PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

#### Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	5.61	0.5 D	2 L	20	2	3

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	5.61	0.138 F	Based on acres	321	56	49

#### Traffic changes between typical: AR2a and proposed SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+301	+54	+46

#### Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	5.61	0.5 D	2 L	20	2	3



## Metro Planning Commission Meeting of 07/28/2011

### Maximum Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Building Materials & Lumber Store (812)	5.61	0.6 F	Assumed 30,000 SF	1355	78	135

### Traffic changes between maximum: AR2a and proposed SP

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1335	+76	+132

### STAFF RECOMMENDATION

Staff recommends disapproval because the proposed SP permits a commercial use that is not consistent with the property's Residential Low Medium land use policy or the NCO policy.

### CONDITIONS (If approved)

1. Outdoor storage is permitted but shall not be within 200 feet of Ashland City Highway or within 20 feet of the east or west property line.
2. Signage shall be limited to one on-premises ground sign not to exceed 20 square feet, and shall not be more than five feet in height. No pole sign shall be permitted and signage shall not be lit. No sign shall be placed at a location that will obstruct visibility along Ashland City Highway or for vehicles entering or exiting the district.
3. Uses permitted by this SP district include Building Contractor Supply and all uses permitted by the AR2a zoning district.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the AR2a zoning district as of the date of the applicable request or application.
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



## Metro Planning Commission Meeting of 07/28/2011

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.

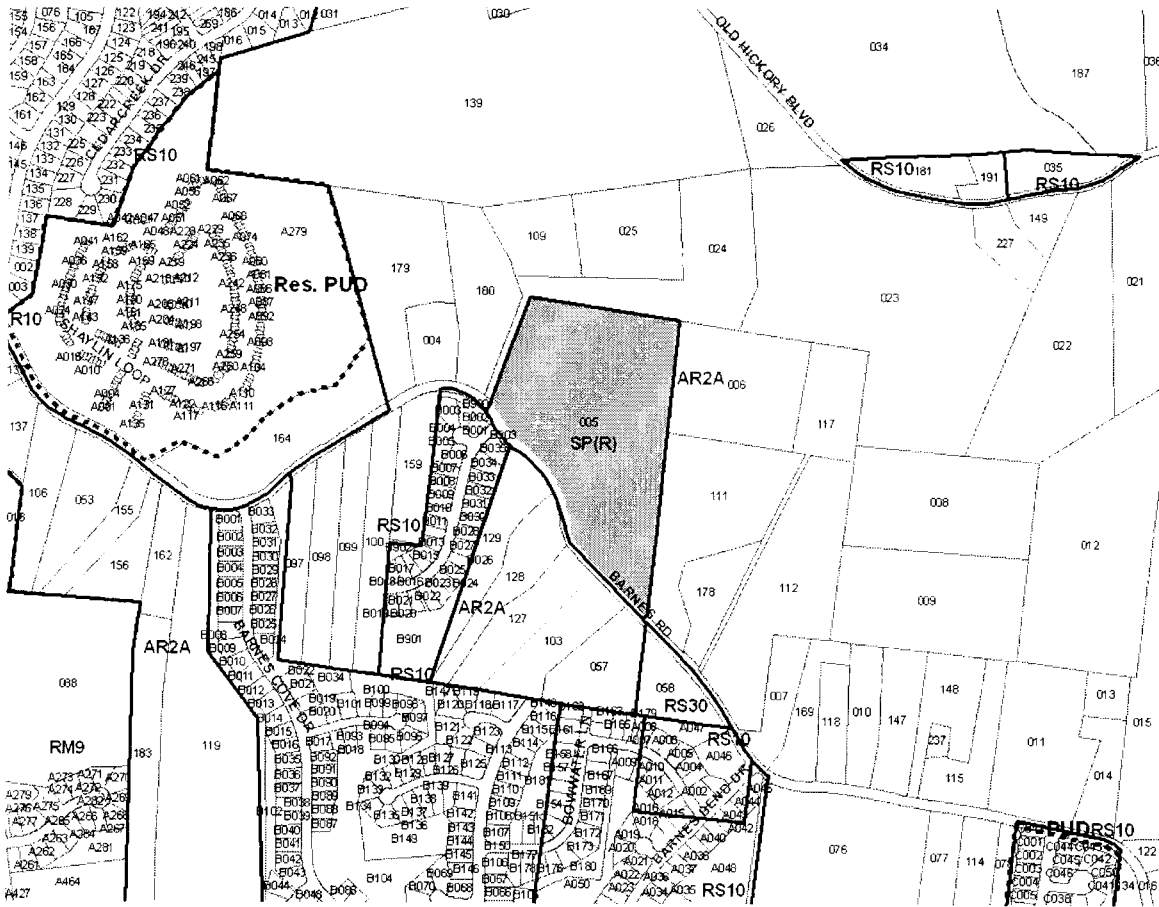
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Council shall be provided 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.

**SEE NEXT PAGE**



# **RECOMMENDATIONS TO THE METRO COUNCIL**

- **Specific Plan**



**2005SP-139G-12**  
**CAMBRIDGE PARK AT BARNES BEND (4-YEAR REVIEW)**  
 Map 173, Parcel(s) 005  
 Southeast  
 31 - Parker Toler



**Project No.** SP District Review 2005SP-139G-12  
**Project Name** Cambridge Park at Barnes Bend SP  
**Council District** 31 – Toler  
**School District** 2 – Brannon  
**Requested by** Metro Planning Department  
**Staff Reviewer** Bernards  
**Staff Recommendation** Find the SP District active

**APPLICANT REQUEST**

**SP Review**

**Four year SP review to determine activity**

The periodic review of an approved Specific Plan (R) district known as "Cambridge Park at Barnes Bend", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for property located at 1160 Barnes Road (19.33 acres), approved for 77 single-family lots via Council Bill BL2007-1352 effective on June 11, 2007.

**Zoning Code Requirement**

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

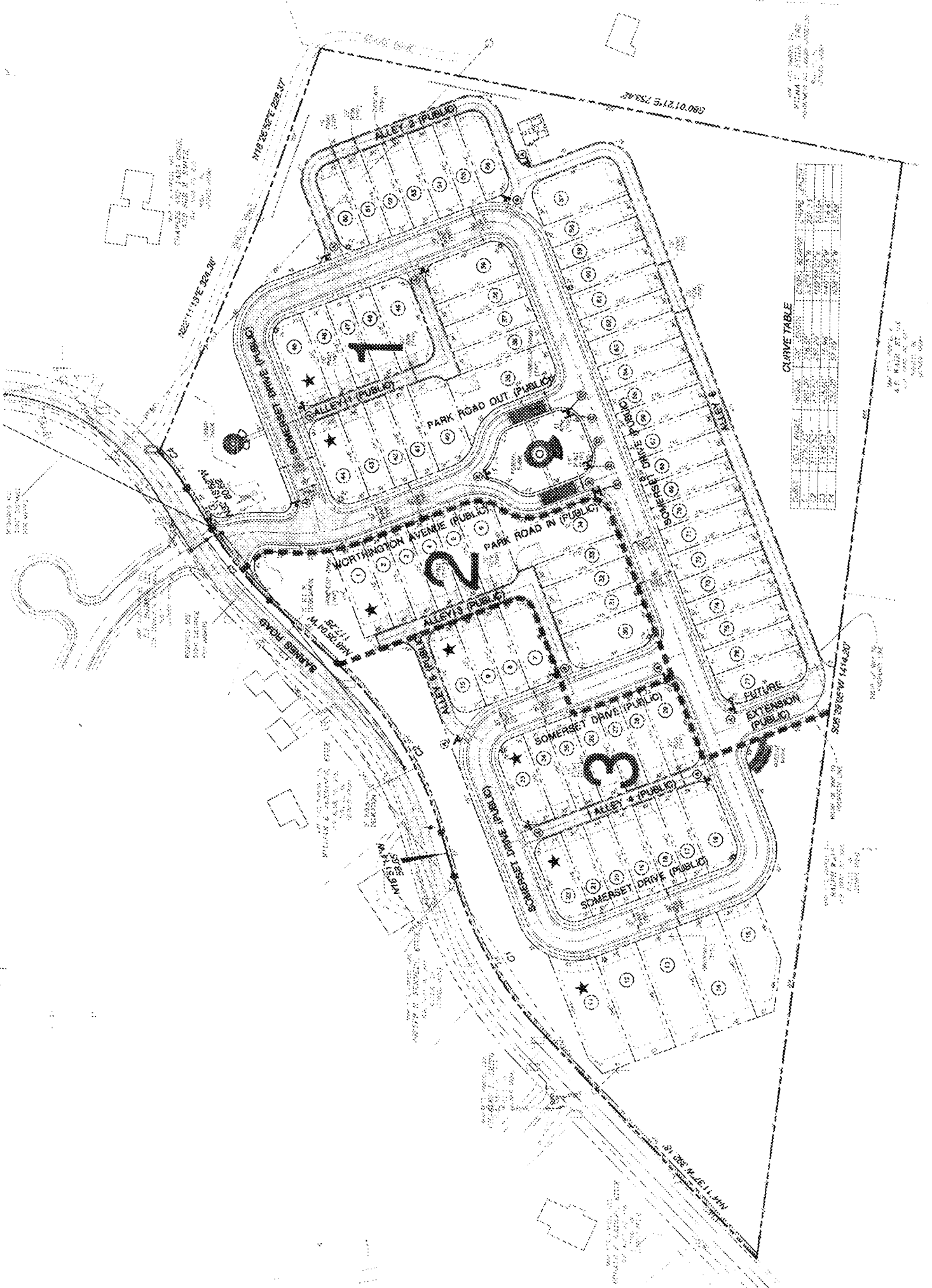
Development within each SP District is to be reviewed in order to determine if the project is complete or actively under development to implement the approved development concept. If the review determines that the project is complete or actively under development, then no further review is necessary 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**

**Analysis**

The purpose of the Cambridge Park at Barnes Road SP is to allow for 77 single-family lots.

Staff visited the site June 2011. The streets and other infrastructure are in place. Staff recommends that this SP be found active and that it be placed back on the four-year review list. Staff notes that the SP remains appropriate for Residential Low Medium density land use policy of the Southeast Community Plan.



CURVE TABLE

STATIONING	CHORD BEARING	CHORD LENGTH	ARC BEARING	ARC LENGTH	PIECEWISE CURVATURE
1+00.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+10.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+20.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+30.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+40.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+50.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+60.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+70.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+80.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
1+90.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+00.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+10.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+20.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+30.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+40.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+50.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+60.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+70.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+80.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
2+90.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+00.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+10.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+20.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+30.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+40.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+50.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+60.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+70.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+80.00	N 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000
3+90.00	S 89° 01' 21" E	10.000	89° 01' 21"	10.000	0.000

CURVE TABLE

DATE: 11/17/11  
 DRAWN BY: [Name]  
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 SCALE: AS SHOWN

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 SCALE: AS SHOWN



## Metro Planning Commission Meeting of 7/28/2011

### **STAFF RECOMMENDATION**

Staff recommends that the Cambridge Park at Barnes Bend SP be found to be active.

**SEE NEXT PAGE**

# **PLANNING COMMISSION ACTIONS**

- **PUD (Final)**
- **Subdivision (Concept)**
- **Subdivision (Final)**







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

**Planned Unit Development 175-75P-001**  
**Harpeth Trace Estates (AT&T Telephone Service Tower)**

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

35 – Mitchell  
9 – Simmons  
New Cingular Wireless PCS LLC, applicant, for Harpeth Trace Condominium HOA c/o McGarr & Associates, Inc., owner

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

Swaggart  
*Approve with conditions*

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**APPLICANT REQUEST**

**Permit cell tower on roof of existing building**

**Preliminary PUD revision and final approval**

**A request to revise the preliminary plan and for final site plan approval for a portion of the Harpeth Trace Estates Residential Planned Unit Development Overlay, located at Harpeth Trace Drive, approximately 675 feet north of Highway 100, zoned R15, to permit a 25 foot guyed telephone tower and a 12 foot by 20 foot equipment shelter on the roof of an existing five-story condominium complex.**

**Existing Zoning**  
R15 District

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots.

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**CRITICAL PLANNING GOALS**

N/A

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**PLAN DETAILS**

The Harpeth Trace Estates Plan Unit Development (PUD) was approved by Council in 1975. The development was approved for numerous single-family, two-family and multi-family units.

This request is to permit the placement of a 25 foot tall cellular tower on the roof of an existing five-story multi-family residential building. The elevation of the upper most point of the tower will be 74 feet above the ground level. Because the tower is proposed on the roof of an existing building, no changes to the last approved preliminary plan are required.

Zoning Ordinance requirements

The Metro Zoning Code classifies cell towers as “telephone services”, and this use is permitted with conditions within the R15 zoning district.





## Metro Planning Commission Meeting of 7/28/2011

Section 17.16.080.C of the Metro Zoning Ordinance details the conditions for telephone service (cell tower):

### C. Telephone Service.

1. Telephone Service. An applicant for a new microwave or cellular tower shall demonstrate that existing towers, buildings or structures within the proposed service area cannot accommodate the equipment planned to be located on the proposed new tower. Factors to be considered in evaluating the practicality of siting the proposed equipment on existing or approved towers shall include, but are not necessarily limited to, structural capacity, radio interference and geographic service area requirements.
2. Lot Size. In residential zone districts, the minimum lot size shall comply with the zone district bulk provisions.
3. Setback. Telephone services, including accessory buildings and vehicle parking areas shall comply with the setback provisions of the applicable zone district. In nonresidential zone districts, no tower shall locate within twenty feet of a residential zone district or district permitting residential use.
4. Landscape Buffer Yard. Along all residential zone districts and districts permitting residential use, screening in the form of Landscape Buffer Yard Standard A shall be applied.
5. Height. The maximum height of telephone facilities shall be determined by the height control provisions of Chapter 17.12, except in the MUN, ON, CN and SCN zone districts a height control plane slope of 1.5:1 shall apply. Where a proposed tower cannot comply with the maximum height provisions, the applicant shall be required to submit for a special exception permit per Section 17.16.180(B)(1).
6. Notification. Prior to the issuance of a zoning permit, and immediately after receiving an application for a new tower, the zoning administrator or, if applicable, the executive director of the planning department shall notify the district councilmember that an application for a new tower has been submitted. Such notification shall only be required when a tower is



## Metro Planning Commission Meeting of 7/28/2011

proposed within a residential district, a district permitting residential uses (excluding the MUI, ORI, CF, CC and SCR districts), or within one thousand feet of the zoning boundary line of a residential district or a district permitting residential uses. Within thirty days from the date on which the tower application was filed, the district councilmember may hold a community meeting on the proposed tower. If a meeting is held, the applicant shall attend and provide information about the tower's safety, technical necessity, visual aspects, and alternative tower sites and designs considered.

The applicant has submitted the required information. As submitted, the request complies with all of the criteria above except for the landscape buffer yard requirement (No. 4). Because the proposed tower will be located on the roof of an existing building then the buffer yard requirement does not apply.

### Analysis

The proposed request does not alter the last approved preliminary plan, but would only introduce a new use within the PUD – Telephone Service. Telephone Service is permitted in the R15 zoning district with conditions. As proposed the tower meets all zoning requirements. Since the tower would be permitted in the R15 zoning district and does not alter the last approved preliminary site plan, then staff has no issues with the request and recommends approval with conditions.

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### **PUBLIC WORKS RECOMMENDATION**

No Exception Taken

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### **STORMWATER RECOMMENDATION**

Approved  
-No grading to take place.

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### **STAFF RECOMMENDATION**

Staff recommends that the request be approved with conditions because the tower would be permitted in the R15 zoning district and does not alter the last approved preliminary site plan.

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### **CONDITIONS**

1. 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.



## Metro Planning Commission Meeting of 7/28/2011

2. 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.
3. 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.



## Metro Planning Commission Meeting of 7/28/2011



### MEMORANDUM

Department of Law  
Sue Cain, Director  
862-6341

**TO:** RICK BERNHARDT, EXECUTIVE DIRECTOR, PLANNING DEPARTMENT

**FROM:** TED MORRISSEY, ASSISTANT METROPOLITAN ATTORNEY

**SUBJECT:** CELL TOWER REGULATION

**DATE:** APRIL 10, 2009

**QUESTION:** You asked whether the Planning Commission has the authority to deny a request to build a cell tower.

**ANSWER:** Yes, the Commission has the authority to deny a request, but any such denial must be supported by substantial and material evidence contained within the written administrative record.

Federal law governs the Commission's review of cell towers. 47 U.S.C.A. § 332(c)(7) regarding limitations on local regulation of cell towers states:

(7) Preservation of local zoning authority

(A) General authority

Except as provided in this paragraph, nothing in this chapter shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

(B) Limitations

(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof--

(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

(iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service



## Metro Planning Commission Meeting of 7/28/2011

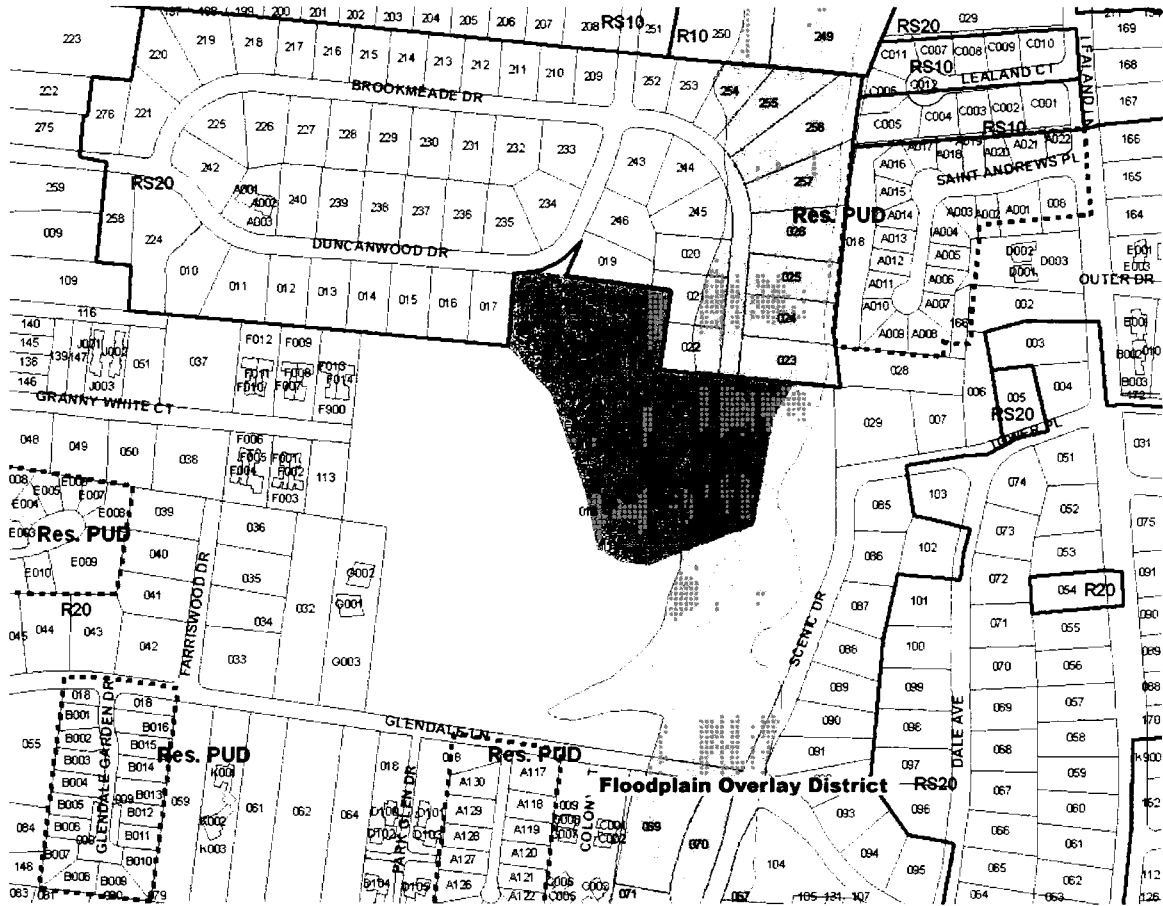
facilities shall be in writing and supported by *substantial evidence contained in a written record*.

(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

(47 U.S.C.A. § 332(c)(7). Emphasis added.)

Thus, the federal law makes it clear that any decision by a “local government or instrumentality thereof” to deny a request to place, construct, or modify personal wireless service facilities (*i.e.*, cell tower) shall be in writing and supported by *substantial evidence contained in a written record*.



**2011S-052-001**  
**DUNCANWOOD RESERVE**  
 Map 131-08, Part of Parcel(s) 018  
 Green Hills - Midtown  
 25 - Sean McGuire





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

**Subdivision 2011S-052-001**  
**Duncanwood Reserve**  
25 – McGuire  
8 – Hayes  
Monroe Harding Childrens Home, owner, Nicky Wells,  
engineer

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

Johnson  
*Disapprove*

**APPLICANT REQUEST**

**Concept plan for 15 lots.**

**Concept plan**

**A request for concept plan approval to create 15 clustered lots on a portion of property located at 1120 Glendale Lane, on the southern side of Duncanwood Drive (8.11 acres), zoned One and Two-Family Residential (R20).**

**Existing Zoning**  
R20 District

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

**CRITICAL PLANNING GOALS**

N/A

**PLAN DETAILS**

The concept plan proposal consists of a 15 lot subdivision with open space along a proposed public street that terminates in a stub street connection to the south. The property is currently part of the Monroe Harding property. The project site appears to be located outside of the campus development area.

**BZA Master Plan**

A Master Plan for the Monroe Harding property was approved by the Board of Zoning Appeals in 2007. On that plan, the campus portion of the site is confined to the western half of the site. Much of the currently undeveloped area on the eastern half of the Monroe Harding property shows no plan for campus-related development, possibly identifying this area for future development not related to the Monroe Harding school.

**Street Connectivity**

The proposed Concept Plan proposes development extending south from an existing residential street, Duncanwood Drive, and terminating in a stub-street connection to the south. While this layout could permit a future street connection to Glendale Lane to the south,

DEANWOOD DRIVE  
150' R.O.W.

PROPOSED CONNECTION  
TO WATERLINE

50  
(17)

EXISTING  
WATERLINE

544223111

REINFORCED  
CONCRETE  
STRUCTURE

PROPOSED PROPERTY LINES TR

PROPOSED PART OF WALL

PROPOSED FRC  
CONCRETE

PROPOSED P. SEWER

PROPOSED ST. WATERLINE

PROPOSED  
BO. ADAPT

PROPOSED 12"  
CONCRETE

TEMP. RCP. OF WALL AND W/WT  
TOP TEMP. 5.00000000  
THROUGH 24"-22" DIA. 15'-24"  
W/ 3"-100 MOUNTABLE TUBE

31  
(19)

SPATE 2212

440 20

DEPT. OF LANDMARK BUTTRESS TO  
ARISE WITHIN CONCRETE 4' TO 5'  
46' S. 80.0 N. 1/4

467 FT. OF PROPOSED ROADWAY  
14' TO 20' R.O.W. PROPOSED  
14' TO 20' R.O.W. PROPOSED  
14' TO 20' R.O.W. PROPOSED  
14' TO 20' R.O.W. PROPOSED

25  
(21)

PROPOSED 24" STORM SEWER

24  
(22)

HUSKIE MEADOWS  
DRIVE 150' R.O.W.

584121817

25  
(23)

486.12

PROPOSED  
REINFORCED  
CONCRETE  
TOP STRUCTURE

PROPOSED  
WATER QUALITY  
TREATMENT  
AREA

PROPOSED  
WATER QUALITY  
TREATMENT  
AREA

REINFORCED  
CONCRETE  
TOP STRUCTURE

WEST POND  
PRACTICE DAM

CURRENTLY PROPOSED BY  
HUSKIE MEADOWS DEVELOPER  
GRASS CHANNEL AND ST. 24" DIA.  
RCP TO BE SET TO PROTECT THE  
WATER QUALITY TREATMENT AREA  
CHANNEL BASED ON PLAN, ELEV.

PROPOSED CONNECTION TO EX. ST. SEWER

PROPOSED 24" STORM SEWER

PROPOSED 24" STORM SEWER

PROPOSED 24" STORM SEWER



## Metro Planning Commission Meeting of 7/28/2011

there are several surrounding streets that may have a lessened ability to connect through the Monroe Harding property with development of the proposed subdivision, including Brookmeade Drive, Tower Place to the east, and Granny White Court to the west.

Future connections to these surrounding streets would allow for additional street connectivity for the surrounding neighborhood providing benefits including the ability to disperse traffic at low speeds, increased pedestrian connectivity, and improved access for emergency vehicles. Because Brown's Creek runs north/south through this neighborhood and along the eastern boundary of the Monroe Harding property, many street connections in the area that were platted were not actually built, leaving the surrounding neighborhood with a deficiency of street connections. The subdivision of this property should incorporate new connections, where possible, to help alleviate the traffic on the larger surrounding streets.

The Concept Plan is proposed for a portion of undeveloped area within the Monroe Harding master plan, but it does not include all of the area outside of the campus boundary as depicted on the BZA approved plan. In order to identify the most appropriate street network and development pattern in relation to existing development, any Concept Plan within the Monroe Harding property would ideally include all of the area outside of the campus boundary.

The proposed layout with only one stub street connection conflicts with the intent of the Subdivision Regulations, which include several requirements for discouraging high volumes of through traffic, and the use of a carefully interconnected street networks that disperses traffic while discouraging high volumes of through traffic.

### *3.9 Requirements for Streets-4.d.3*

*Minor local streets shall be laid out to conform as much as possible to the topography, to provide for the efficient dispersal of internal traffic while discouraging high volumes of through traffic, and to permit efficient drainage and accommodate utility systems.*

### *3.9 Requirements for Streets-4.d.4*

*The use of an interconnected street system shall be used to broadly disperse internal traffic and provide maximum alternatives for access to property for both public and private movement*



## Metro Planning Commission Meeting of 7/28/2011

and

### *3.9 Requirements for Streets-4.d.7*

Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the layout, either in existence or proposed, of adjacent tracts.

Additionally, the Subdivision Regulations require the overall development intent for large parcels through a Concept Plan:

### *2.8 Resubdivision of Land*

*1. Procedure for Subdivision Where Future Resubdivision is Foreseen. Whenever a parcel of land is subdivided, and the subdivision plat shows one or more lots containing more than one acre of land or double the minimum required area for the zoning district in which the lot is located, and the Planning Commission has reason to believe that such lots shall be resubdivided into smaller building sites, the Planning Commission shall require that the subdivision and development of such parcel of land allow for the future opening of streets by restricting building locations. A plan of resubdivision shall be depicted on the concept plan drawing unless the applicant can demonstrate that the need for such future street connection is unnecessary. The Planning Commission shall require that future dedications providing for the opening and extension of such streets be so indicated on the plat. [Emphasis added].*

### Cluster Lot Subdivision

The subdivision is proposed as a cluster-lot subdivision, which allows for a minimum lot size of 10,000 square feet. Cluster lot subdivisions allow for smaller lot sizes, but also require the provision of open space within the subdivision. Approximately 40% of the subdivision consists of open space.

The concept plan identifies a portion of the required open space to the east of the proposed lots. However, a walkway connection to this open space is not provided for lots that are not adjacent to it. A condition of approval is proposed to require a walkway and an easement to provide access if the concept plan is approved.



## Metro Planning Commission Meeting of 7/28/2011

### Stormwater Regulations

If approved at Concept Plan, the subdivision will require a Development Plan to comply with the regulations of Metro Stormwater. A portion of the proposed open space is located within the floodplain. However, because no development is proposed within the floodplain, standards of the floodplain overlay do not apply.

### Archaeological Sites

According to Metro GIS records, the area surrounding and including the project site may contain archaeological sites or artifacts. Prior to development plan approval, a letter from the state archaeologist will be required. The letter must state whether there are areas of archaeological significance on the project site. The presence of such areas may require modification to the plan.

### **METRO HISTORICAL COMMISSION RECOMMENDATION**

The Metropolitan Historical Commission recently determined the campus of the Monroe Harding Children's Home to be eligible for listing in the National Register of Historic Places for its significance in local social history as well as its architecture. As presented, the Duncanwood Reserve Concept Plan will require the demolition of a building that contributes to the significance of the district. The residence hall/library appears to be one of the first buildings constructed for the campus when the Monroe Harding Children's Home moved to its current location in 1934.

### **PUBLIC WORKS RECOMMENDATION**

*The following comments are based on a previously-submitted site plan. Since revised plans were not submitted by the applicant until July 21, 2011, the reviewing agencies did not have sufficient time to submit revised comments prior to the completion of this staff report. Revised departmental comments will be distributed prior to the July 28 Planning Commission meeting.*

No Exception Taken with the following conditions:

1. Document adequate intersection sight distance for the 30 mph Duncanwood Drive intersection as per AASHTO prior to the preparation of final construction drawings.
2. Extend the sidewalks through the radius returns a Duncanwood Drive and the western sidewalk to the property line.
3. Curb and gutters to PW Standard ST-200.

### **STORMWATER RECOMMENDATION**

*The following comments are based on a previously-submitted site plan. Since revised plans were not submitted by the applicant until July 21, 2011, the reviewing agencies did not have sufficient time to submit revised comments*



## Metro Planning Commission Meeting of 7/28/2011

*prior to the completion of this staff report. Revised departmental comments will be distributed prior to the July 28 Planning Commission meeting.*

Concept plan approved except as noted (stormwater):

1. Some areas are bypassing water quality / quantity features. Additional conveyances (ditches / pipes) will be required.

### **NES RECOMMENDATION**

*The following comments are based on a previously-submitted site plan. Since revised plans were not submitted by the applicant until July 21, 2011, the reviewing agencies did not have sufficient time to submit revised comments prior to the completion of this staff report. Revised departmental comments will be distributed prior to the July 28 Planning Commission meeting.*

- 1) Developer to provide a civil duct and gear (pad/switch) locations for NES review and approval. This shall cover the entire project area.
- 2) Developer drawing should show any existing utilities easements on property and the utility poles on the property and/or r-o-w.
- 3) 20-foot public utility easement required adjacent to all public r-o-w.
- 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) Street names are required before NES's final construction drawings can be issued.
- 6) NES can meet with developer/engineer upon request to determine electrical service options
- 7) NES needs any drawings that will cover any road improvements to Duncanwood Dr r-o-w that Public Works will require (i.e., turning lanes or lane improvements). Any of these items may require electric facilities to be relocated and may be an impact to the developers.
- 8) 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](http://www.nespower.com)).
- 9) NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
- 10) All street lighting shall meet Metro/NES requirements for the public r-o-w. The conduit, footings, poles and fixtures must be installed by developer – NES needs



## Metro Planning Commission Meeting of 7/28/2011

locations of street light bases for conduit stub-outs to those general areas.

- 11) Building phase lines are required at the design stage.
- 12) If porches or fire escapes are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to equipment. *NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.*

---

### STAFF RECOMMENDATION

Staff recommends disapproval. The proposal does not comply with standards of the Subdivision Regulations, including Section 2-8, which requires Concept Plans to plan for street connectivity on large sites and Section 3.9, which includes several requirements for discouraging high volumes of through traffic, providing an interconnected street system that broadly disperses internal traffic, and providing street connections.

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### CONDITIONS (if approved)

1. The concept plan shall comply with requirements of Metro Stormwater, NES and Metro Public Works.
2. Sidewalk shall be required along the entire roadway that will be constructed to serve the proposed development.
3. Prior to development plan approval, obtain letter from Tennessee State Archaeologist stating if sites or artifacts of archaeological importance exist on this site. Presence of such locations or objects may require modification to the plan.
4. A paved walkway within a public easement shall be provided from the proposed public street sidewalk to the proposed open space to the east.

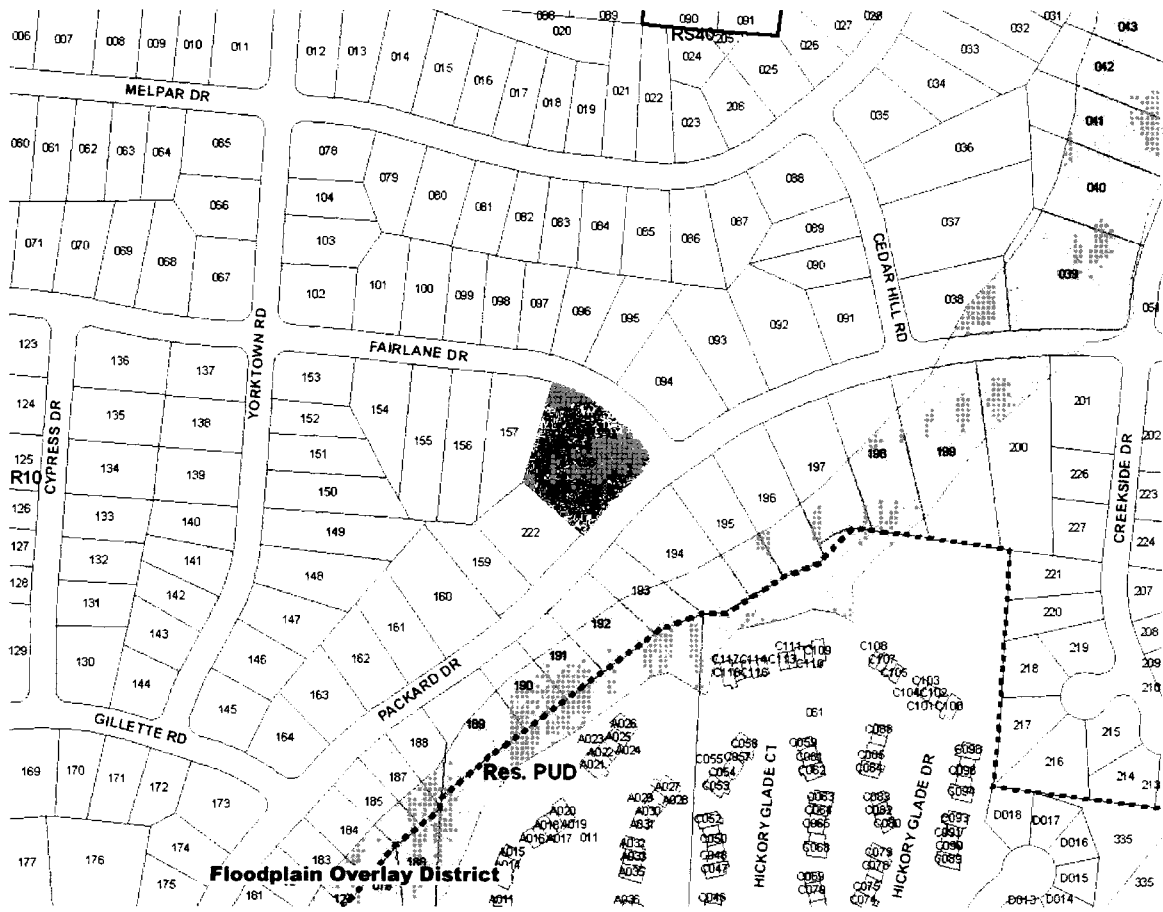


## Metro Planning Commission Meeting of 7/28/2011

5. A temporary turnaround that meets the standards of the Subdivision Regulations, Metro Public Works, and the Metro Fire Marshal is required. The temporary cul-de-sac shall be constructed or bonded with the construction of the proposed public street.



**SEE NEXT PAGE**



**2011S-046-001**  
 FAIRLANE PARK, RESUB LOT 264  
 Map 148-13, Parcel(s) 158  
 Southeast  
 30 - Jim Hodge



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

**Subdivision 2011S-046-001**  
**Fairlane Park**  
30 – Hodge  
2 – Brannon  
Thomas Mattingly and Jerry Thurman, owners, Delle Land Surveying, surveyor

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

Johnson  
*Approve with a condition*

---

**APPLICANT REQUEST**

**Final plat to create three lots**

**Final Plat**

**A request for final plat approval to create three lots on property located at 301 Fairlane Drive, at the northwest corner of Fairlane Drive and Packard Drive (0.96 acres), zoned One and Two Family Residential (R10).**

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**CRITICAL PLANNING GOALS**

N/A

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**PLAN DETAILS**

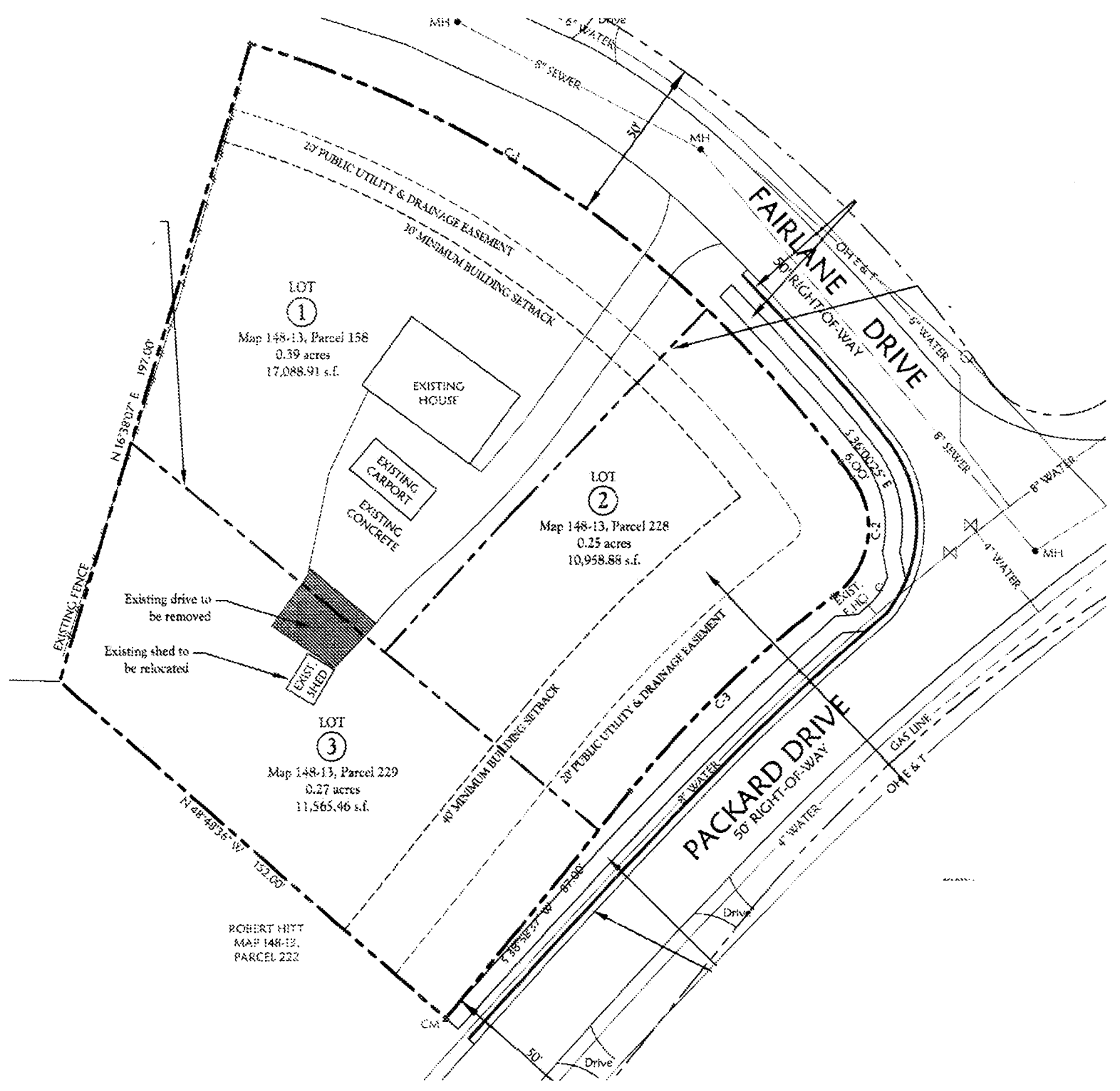
**Final Plat**

The applicant requests final plat approval for a three lot subdivision at the intersection of Fairlane Drive and Packard Drive. Subdivisions of three lots or more must be approved by the Metro Planning Commission.

All three lots meet the requirements of the infill subdivisions section of the Subdivision Regulations, as well as applicable requirements of the Nashville Subdivision Regulations and the Metro Zoning Code. Sidewalks are required on two of the lots and are shown on the plat.

**Infill Subdivisions**

Section 3-5 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally comparable with surrounding lots. The Subdivision Regulations include several criteria for determining if a plat is consistent with the character of the area, including the density of the subdivision compared to the land use policy. Because the density of the proposed subdivision will be consistent with the underlying RLM policy, the lots are considered by the Subdivision Regulations to be in keeping with the character of the surrounding lots.



LOT 1  
 Map 148-13, Parcel 158  
 0.39 acres  
 17,088.91 s.f.

EXISTING HOUSE  
 EXISTING CARPORT  
 EXISTING CONCRETE

LOT 2  
 Map 148-13, Parcel 228  
 0.25 acres  
 10,958.88 s.f.

LOT 3  
 Map 148-13, Parcel 229  
 0.27 acres  
 11,565.46 s.f.

EXIST. SHED

Existing drive to be removed  
 Existing shed to be relocated

ROBERT HITT  
 MAP 148-13,  
 PARCEL 222

N 16°38'07" E 197.00'

N 42°49'36" W 152.00'

FAIRLANE DRIVE  
 50' RIGHT-OF-WAY

PACKARD DRIVE  
 50' RIGHT-OF-WAY

20' PUBLIC UTILITY & DRAINAGE EASEMENT  
 30' MINIMUM BUILDING SETBACK

40' MINIMUM BUILDING SETBACK  
 20' PUBLIC UTILITY & DRAINAGE EASEMENT

6" WATER  
 8" SEWER  
 MH

5" WATER  
 8" SEWER  
 4" WATER  
 MH

8" WATER  
 4" WATER  
 GAS LINE  
 ONE & T

50'

Drive

Drive

CM

EXIST. FLAG

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## Metro Planning Commission Meeting of 07/28/11

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**STORMWATER  
RECOMMENDATION**

Final Plat Approved

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**PUBLIC WORKS  
RECOMMENDATION**

No Exception Taken with the following Conditions:

Note that final construction drawings for the sidewalk installation must be submitted to the Department of Public Works and a permit issued prior to commencement of work. A standard handicap ramp ST330 will be required at the intersection.

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**STAFF RECOMMENDATION**

Staff recommends approval with a condition. The proposed subdivision complies with the requirements of the Subdivision Regulations and the Zoning Code.

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**CONDITION**

1. Final construction drawings for the sidewalk installation must be submitted to the Department of Public Works and a permit issued prior to commencement of work. A standard handicap ramp ST330 will be required at the intersection.