



METROPOLITAN PLANNING COMMISSION MINUTES

**Thursday, May 12, 2011
4:00 pm Regular Meeting**

700 Second Avenue South
(between Lindsley Avenue and Middleton Street)
Howard Office Building, Sonny West Conference Center (1st Floor)

MISSION STATEMENT

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

Commissioners Present:

Jim McLean, Chair
Stewart Clifton
Judy Cummings
Derrick Dalton
Ana Escobar
Tonya Jones
Phil Ponder
Councilmember Jim Gotto

Staff Present:

Rick Bernhardt, Executive Director
Ann Hammond, Assistant Director
Kelly Armistead, Admin Services Officer III
Craig Owensby, Public Information Officer
Dennis Corrieri, Planning Technician I
Bob Leeman, Planning Manager II
Brenda Bernards, Planner III
Joni Priest, Planner III
Jason Swaggart, Planner II
Greg Johnson, Planner II
Brian Sexton, Planner I

Commissioners Absent:

Hunter Gee
Andrée LeQuire

Richard C. Bernhardt, FAICP, CNU-A

Secretary and Executive Director, Metro Planning Commission

Metro Planning Department of Nashville and Davidson County
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Notice to Public

Please remember to turn off your cell phones.

The Commission is a 10-member body appointed by the Metro Council. The Commission meets on the 2nd and 4th Thursday of each month at 4:00 p.m., unless otherwise noted. The Planning Commission makes the final decision on final site plan and subdivision applications. On all other applications, the Commission recommends an action to the Metro Council (e.g. zone changes, specific plans, overlay districts, and mandatory referrals). The Metro Council can accept or not accept the recommendation.

Agendas and staff reports can be viewed on-line at www.nashville.gov/mpc/agendas or weekdays from 7:30 a.m. to 4:00 p.m. at the Planning Department office located at 800 2nd Avenue South, downtown Nashville. Also, at the entrance to this meeting room, a binder of all staff reports has been placed on the table for your convenience.

Meetings on TV can be viewed live or shown at an alternative time on Channel 3. Visit www.nashville.gov/calendar for a broadcast schedule.

Writing to the Commission

You can mail, hand-deliver, fax, or e-mail comments on any agenda item to the Planning Department. For the Commission to receive your comments, prior to the meeting, you must submit them by **noon the day of the meeting**. Otherwise, you will need to bring 14 copies of your correspondence to the meeting and during your allotted time to speak, distribute your comments.

Mailing Address: Metro Planning Department, 800 2nd Avenue South, P.O. Box 196300, Nashville, TN 37219-6300
Fax: (615) 862-7130
E-mail: planningstaff@nashville.gov

Speaking to the Commission

If you want to appear in-person before the Commission, view our tips on presentations on-line at www.nashville.gov/mpc/pdfs/mpc_mtg_presentation_tips.pdf and our summary regarding how Planning Commission public hearings are conducted at www.nashville.gov/mpc/docs/meetings/Rules_and_procedures.pdf. Briefly, a councilmember may speak at the very beginning of the commission meeting, after the individual item is presented by staff, or after all persons have spoken in favor or in opposition to the request. Applicants speak after staff presents, then, those in favor speak followed by those in opposition. The Commission may grant the applicant additional time for a rebuttal after all persons have spoken. Maximum speaking time for an applicant is 10 minutes, individual speakers is 2 minutes, and a neighborhood group 5 minutes, provided written notice was received prior to the meeting from the neighborhood group.

- Day of meeting, get there at least 15 minutes ahead of the meeting start time to get a seat and to fill-out a "Request to Speak" form (located on table outside the door into this meeting room).
- Give your completed "Request to Speak" form to a staff member.
- For more information, view the Commissions Rules and Procedures, at www.nashville.gov/mpc/pdfs/main/rules_and_procedures.pdf

Legal Notice

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



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MEETING AGENDA

A. CALL TO ORDER

The meeting was called to order at 4:13 p.m.

B. ADOPTION OF AGENDA

Mr. Clifton moved and Councilmember Gotto seconded the motion to adopt the revised agenda as presented. (6-0)

C. APPROVAL OF APRIL 28, 2011 MINUTES

Mr. Ponder in at 4:14 p.m.

Mr. Clifton moved and Mr. Ponder seconded the motion to approve the April 28, 2011 minutes. (7-0)

D. RECOGNITION OF COUNCILMEMBERS

Councilmember Toler spoke in support of deferral regarding Items 1, 2a, and 2b. He noted that there are a number of people in attendance to speak regarding Item 5 – number of people here to speak regarding this. Will let the MPC make the decision regarding Item 6 and Item 13 is going to be deferred for one meeting.

Councilmember Claiborne was in attendance but elected to speak at a later time.

Councilmember Hunt spoke in support of staff recommendation of disapproval for Item 10.

Council Lady Wilhoite spoke in support of deferral for Item 1.

E. ITEMS FOR DEFERRAL / WITHDRAWAL

1. **2011SP-004-001**
SMITH SPRINGS ROAD

2a. **2011Z-003PR-001**
STONE BROOK DRIVE (UNNUMBERED)

2b. **89P-032-001**
BRENTWOOD SKYLINE

13. **53-84P-001**
HICKORY HEIGHT VILLAS

Mr. Ponder moved and Mr. Dalton seconded the motion to approve the Deferred and Withdrawn Items. (7-0)

F. CONSENT AGENDA

3. **2011Z-009TX-001**
SIGNS: LANDMARK SIGNS

6. **2011SP-012-001**
NOLENSVILLE PIKE CAR WASH

7. **2011Z-012PR-001**
28TH AVENUE NORTH (UNNUMBERED)

8. **2011Z-013PR-001**
7791 CHARLOTTE PIKE

11. 117-67P-001
BELLE FOREST CENTER

12. 2005P-030-002
RAVENWOOD, PH 1, SEC 2A, 2B, 2C

Mr. Clifton moved and Mr. Ponder seconded the motion to add Item 3 to the Consent Agenda. (7-0)

Mr. Ponder moved and Mr. Clifton seconded the motion to approve the Consent Agenda. (7-0)

G. PREVIOUSLY DEFERRED ITEMS

Specific Plans

1. 2011SP-004-001
SMITH SPRINGS ROAD
Map 135, Parcel(s) 146-148, 163
Council District 29 (Vivian Wilhoite)
Staff Reviewer: Brenda Bernards

A request to rezone from R20, RM9, and IWD to SP-MU zoning for properties located at 2114 Smith Springs Road, 1806 Reynolds Road, 1812 Reynolds Road and at Reynolds Road (unnumbered), approximately 1,700 feet north of Smith Springs Road (48.57 acres), to permit a maximum of 950,000 square feet of industrial, office, warehouse and distribution, up to 78 multi-family residential units and open space uses, requested by Dale & Associates, applicant, Stevenson Trust No. 8, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

The Metropolitan Planning Commission DEFERRED 2011SP-004-001 to the May 26, 2011, Planning Commission meeting at the request of the applicant. (7-0)

Zone Changes

2a. 2011Z-003PR-001
STONE BROOK DRIVE (UNNUMBERED)
Map 171, Parcel(s) 159
Council District 31 (Parker Toler)
Staff Reviewer: Greg Johnson

A request to rezone from R10 to RM15 district for property located at Stone Brook Drive (unnumbered), approximately 1,750 feet south of Old Hickory Boulevard (6.56 acres), requested by Lukens Engineering Consultants, applicant, Mt. View LLC, owner (see also PUD Amendment Case # 89P-032-001).

Staff Recommendation: DISAPPROVE

The Metropolitan Planning Commission DEFERRED INDEFINITELY 2011Z-003PR-001 at the request of the applicant. (7-0)

2b. 89P-032-001
BRENTWOOD SKYLINE
Map 171, Parcel(s) 159
Council District 31 (Parker Toler)
Staff Reviewer: Greg Johnson

A request to amend the Brentwood Skyline Planned Unit Development Overlay District for property located at Stone Brook Drive (unnumbered), approximately 1,750 feet south of Old Hickory Boulevard (6.56 acres), zoned R10 and proposed for RM15, to permit 79 multi-family units where a 129,600 square foot office building was previously approved, requested by Lukens Engineering Consultants, applicant, Mt. View LLC, owner (see also Zone Change Case # 2011Z-003PR-001).

Staff Recommendation: DISAPPROVE. If PUD amendment is not approved by Council, direct staff to initiate a six-year PUD review to recommend appropriate zoning and land use policy.

The Metropolitan Planning Commission DEFERRED INDEFINITELY 89P-032-001 at the request of the applicant. (7-0)

H. COMMUNITY PLAN POLICY CHANGES AND ASSOCIATED CASES

No Cases on this Agenda

I. RECOMMENDATIONS TO METRO COUNCIL

Zoning Text Amendments

3. 2011Z-009TX-001

SIGNS: LANDMARK SIGNS

Staff Reviewer: Joni Priest

A request to amend the Metro Zoning Code, Chapters 17.04 (Definitions), 17.32 (Sign Regulations) and 17.40 (Administration and Procedures) to include definitions associated with Landmark Signs; a new section on Landmark Signs, and the procedure for the designation of Landmark Signs, requested by the Metro Planning Department.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Revise the existing Zoning Code to include the definition and designation process of Landmark Signs.

Text Amendment A request to amend the Metro Zoning Code, Chapters 17.04 (Definitions), 17.32 (Sign Regulations) and 17.40 (Administration and Procedures) to include definitions associated with Landmark Signs; a new section on Landmark Signs, and the procedure for the designation of Landmark Signs.

CRITICAL PLANNING GOALS The purpose of the bill is to establish a process for designating signs as landmarks within the community and allow flexibility for their continued maintenance and preservation.

- Supports Infill Development
- Preserves Historic Resources
- Encourages Community Participation

Allowing the preservation, adaptive reuse, and replication of Landmark Signs helps maintain a sense of place in a community. Signs are often important to a community and are valued for more than their role as commercial markers. They become landmarks, loved because they have been visible at certain street corners –or from many vantage points across the city – for a long time. Such signs are valued for their familiarity, their beauty, their humor, their size, or even their oddities. In these cases, signs transcend their conventional role as vehicles of information or as identifiers for a particular business. When signs reach this stage, they accumulate rich layers of meaning. They no longer merely advertise, but are valued in and of themselves. They become icons worthy of designation as Landmark Signs.

A Landmark Sign is literally a landmark. It can give a sense of direction and can be an icon within a neighborhood. As corridors and neighborhoods evolve over time, the community has an opportunity to preserve Landmark Signs as historic resources. The patina that is created by the preservation of iconic urban design elements can make a dot on the map a true place, a place where people want to live, work and be entertained. Encouraging the preservation and maintenance of Landmark Signs, enriches the built environment and helps create a sense of a unique place within the city.

BACKGROUND In recent years, changes to zoning regulations have made some historic, landmark signs nonconforming. When the sign is removed for repair or for repair to the building façade, the sign is no longer “grandfathered” and cannot be reinstalled. Examples include the Donut Den sign in Green Hills and the Beaman Pontiac sign in Music Row.

PROPOSED CHANGES TO THE ZONING CODE Adding a section on Landmark Signs to the Zoning Code provides a process for the designation of Landmark signs – either Historic, Vintage or Replica – and, upon designation, a process for which the signs can be cleaned and repaired, and the sign can be removed for the façade to be cleaned and repaired, without triggering nonconformance.

Designation as Landmark Sign will require the applicant to demonstrate how the sign is an excellent representation of a particular period of construction and/or that the sign demonstrates extraordinary aesthetic quality, creativity or innovation.

An Historic Landmark Sign must be more than 50 years old; a Vintage Landmark Sign must be more than 25 years old; a Replica Landmark Sign must recreate a sign based on sufficient historical documentation of the original sign and its location.

The ordinance, in its entirety, is attached to this staff report.

Definitions The following will be added to the definitions section of the Zoning Code:

“Landmark Sign” means a sign that exemplifies the cultural, architectural, or commercial identity of Nashville and Davidson County, is iconic in its location, and contributes to the surrounding neighborhood character.

- a. “Historic Sign” means a Landmark Sign that exemplifies the cultural, architectural or commercial history of Nashville and Davidson County and was constructed more than 50 years before the date of application.
- b. “Vintage Sign” means a Landmark Sign that is iconic and culturally significant and was constructed between 50 and 25 years before the date of application.
- c. “Replica Sign” means a Landmark Sign that is an exact reproduction of an historic sign which no longer exists.

Ordinance The ordinance adds a section to the Sign Regulations of the zoning code for Landmark Signs. Designation as a Landmark Sign – the umbrella term – requires meeting criteria of (1) materials, technology and design, (2) integrity, (3) safety, (4) location, and (5) regionalism. An applicant seeking designation as an Historic Sign must provide sufficient documentation to demonstrate that the sign is more than 50 years old and must propose a restoration and maintenance plan for the sign. An applicant seeking designation as a Vintage Sign must provide sufficient documentation to demonstrate that the sign is more than 25 years old and must propose a restoration and maintenance plan for the sign. An applicant seeking to create a Replica Sign must provide sufficient documentation regarding the design and location of the sign they wish to replicate.

A designated Landmark Sign may be relocated to another site, according to certain guidelines, including distance from residential structures.

A designated Landmark Sign receives exemptions for the historic square footage of the sign that is being maintained. For example, if a sign does not identify the business onsite – “Bob’s Diner” is on the sign and Bob’s Diner is no longer in business on the site – the sign does not count toward the overall signage calculations for the site. If a sign does identify the business onsite – “Bob’s Diner” is on the sign and Bob’s Diner is still in business – fifty percent (50%) of the Landmark Sign square footage will count toward the signage calculations for the site. If Bob’s Diner creates a Replica sign of the old “Bob’s Diner” sign, one hundred percent (100%) of the sign will count toward the signage calculations for the site.

Landmark Signs will be reviewed by the Planning Commission according to the final site plan approval process.

ANALYSIS Currently, there is no process for acknowledging signs that are valued for their contribution to creating a sense of place and that act as more than commercial markers. The Landmark Sign designation will allow the property owner to preserve historic and vintage signs, and help neighborhoods retain a unique identity while ensuring that the signs are safe and well maintained.

STAFF RECOMMENDATION Staff recommends approval of the text amendment.

ORDINANCE NO. _____

An ordinance to amend the Metro Zoning Code, Chapters 17.04 (Definitions), 17.32 (Sign Regulations) and 17.40 (Administration and Procedures) to include definitions associated with Landmark Signs; a new section on Landmark Signs, and the procedure for the designation of Landmark Signs, requested by the Metro Planning Department. (Proposal No. 2011Z-009TX-001)

WHEREAS signs are often important to a community and are valued for more than their role as commercial markers. They become landmarks, loved because they have been visible at certain street corners –or from many vantage points across the city – for a long time. Such signs are valued for their familiarity, their beauty, their humor, their size, or even their oddities. In these cases, signs transcend their conventional role as vehicles of information or as identifiers for a particular business. When signs reach this stage, they accumulate rich layers of meaning. They no longer merely advertise, but are valued in and of themselves. They become icons worthy of designation as Landmark Signs.

WHEREAS Landmark Signs give continuity to streets and public spaces, and become part of the community memory. They are landmarks in themselves, almost without regard for the building to which they are attached, or the property on which they stand. In an age of uniform franchise signs and generic plastic “box” signs, Landmark Signs stand out for their individuality: a clever detail, an unusual use of color and motion, or a reference to a particular people, shops, or events. The preservation of these signs is one way to ensure that expressions of local history continue to enliven our streets. Landmark Signs can contribute to the character of buildings and districts.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Section 17.04.060 (Definitions of General Terms) is hereby amended by adding the definition of “Landmark Sign” alphabetically under the definition of “Sign” and renumbering the section accordingly:

“Landmark Sign” means a sign that exemplifies the cultural, architectural, or commercial identity of Nashville and Davidson County, is iconic in its location, and contributes to the surrounding neighborhood character.

- d. "Historic Sign" means a Landmark Sign that exemplifies the cultural, architectural or commercial history of Nashville and Davidson County and was constructed more than 50 years before the date of application.
- e. "Vintage Sign" means a Landmark Sign that is iconic and culturally significant and was constructed between 50 and 25 years before the date of application.
- f. "Replica Sign" means a Landmark Sign that is an exact reproduction of an historic sign which no longer exists.

Section 2. Section 17.32 (Sign Regulations) is hereby amended by adding the following, in its entirety:

Section 17.32.145 – Landmark Signs

- A. A Landmark Sign must meet all of the following criteria:
 1. Materials, Technology, and Design: Representative of excellence in a particular period of construction; and/or is unique in that it demonstrates extraordinary aesthetic quality, creativity or innovation.
 2. Integrity: Retains the majority of its character-defining features (materials, technologies, structure, colors, shapes, symbols, text, and/or art) that have historical significance, or are integral to overall sign design, or convey historical or regional context. If character-defining features have been altered or removed, the majority are potentially restorable to their historic function and appearance.
 3. Safety: Structurally safe or can be made safe without substantially altering its historical appearance.
 4. Location: The sign is not an off-site sign or billboard, as defined in the Zoning Code.
 5. Regionalism: The sign is unique, or was originally associated with a chain or franchise business that is either a local or regional chain or franchise only found in Nashville or the southeastern United States; or there is national interest or scholarly documentation to support its preservation.
- B. An Historic Sign must be construction more than 50 years before the date of application and must meet all of the criteria for Landmark sign designation and must meet all of the following criteria:
 1. An Historic Sign may be repaired, restored, and/or adaptively reused if there is sufficient surviving fabric or sufficient historical documentation (photographs, postcards, permits, or other records) on which to base the treatment concept. An existing Historic Sign may be repaired, restored, or rehabilitated either in place, or off-site and then re-erected on site.
 2. An Historic Sign may be repaired or restored to any past appearance prior to 50 years before the date of application. If the owner of an Historic Sign can provide documentation or physical evidence that the original design included intermittent lighting features (e.g., flashing, blinking, chasing or sequentially lit elements which create the appearance of movement) or moving parts, those sign elements may be repaired and restored.
 3. An Historic Sign that will be adaptively reused must retain, repair, or restore the majority of the character-defining features (e.g., materials, technologies, structure, colors, shapes, symbols, text, typography and/or artwork) that have historical significance, or are integral to the overall design of the sign, or convey historical or regional context. Changes to character-defining text are not allowed; any or all text that is not character defining can be changed. Changes to text must either match or be compatible with existing text or the text being replaced, in terms of materials, letter size, font, and color.
- C. A Vintage Sign must meet all of the criteria for Landmark sign designation and must meet all of the following criteria:
 1. Age: Constructed between 50 and 25 years before the date of application. Applications for signs constructed within 25 years of the date of application may be considered on the cultural and iconic contribution to the surroundings.
- D. Replica Sign
 1. A Replica Sign is permissible when based on sufficient historical documentation of the sign and its location. A sign can be replicated only once. Replicas of replicas are not permitted. A Replica Sign must use historical materials and technologies, or use contemporary materials and technologies that visually match historical ones.
- E. Guidelines for relocating a Landmark Sign
 1. A designated Landmark Sign may be relocated as follows:
 - a. To another location on the premises
 - b. To another location that houses the same or similar business
 - c. To an areas of similar character within a 1 mile radius of the present location
 - d. To the original location
 2. A designated Landmark Sign shall not be relocated to a R, RS, or RM zoned property.
 3. A designated Landmark Sign shall not be relocated within 150 feet of a primary structure on R, RS, or RM zoned property.
 4. All relocations are subject to the following:
 - a. The sign must be located no less than 20 feet from the face of the curb or edge of pavement. Where there is no curb, the measurement shall be taken from the street property line.
 - b. Projecting signs that project into the public right-of-way shall follow the rules and procedures of Metro government, and shall follow the sign permitting process.
- F. Sign Calculations for a Landmark Sign
 1. Where the Landmark Sign does not identify the business occupying the premises, and is not used by an owner or occupant of the premises to advertise a business currently occupying the premises, the Landmark Sign shall not count against the total allowable sign area for the premises and shall not count against the number of signs allowed for the premises.
 2. Where the Landmark Sign does identify the business occupying the premises or is used or adaptively reused by an owner or occupant of the premises to advertise a business currently occupying the premises, fifty percent (50%) of the square footage of the Landmark Sign shall count toward the total allowable sign area and shall count against the number of signs allowed for the premises.
 3. One hundred percent (100%) of the square footage of a Replica Sign shall count toward the total allowable sign area for the premises and shall count against the number of signs allowed for the premises.

Section 3. Section 17.40. (Administration and Procedures) is hereby amended by deleting Section 17.40.170.B, in its entirety and replacing it with the following new Section 17.40.170.B:

- B. Final Approval by the Planning Commission. Planning Commission approval shall be required for a final site plan within a SP district, DTC district, Landmark Sign designation or within the overlay districts known as planned unit development (PUD), urban design, and institutional.

And by adding the following new Section 17.40.170.B.6:

- 6. If the approved site plan for Landmark Sign designation has not been fulfilled six months after designation is granted, the designation shall be removed. The applicant may reapply for designation.

Section 4. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Introduced by Councilmembers Jason Holleman and Phil Claiborne

Approved (7-0), Consent Agenda

Resolution No. RS2011-116

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011Z-009TX-001 is **APPROVED. (7-0)**

The Landmark Sign designation will preserve historic and vintage signs that are valued for their contribution to creating a sense of place, and will help neighborhoods retain a unique identity while ensuring that signs are well-maintained.”

Specific Plans

4. 2007SP-081-001

MT LAUREL RESERVE

Map 128, Parcel(s) 038

Council District 22 (Eric Crafton)

Staff Reviewer: Jason Swaggart

A request to amend Mt. Laurel Reserve Specific Plan for property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), to permit the development of 236 multi-family residential units where 129 multifamily residential units were previously approved, requested by Dale & Associates, applicant, for Hicks Road Development LLC, owner.

Staff Recommendation: DISAPPROVE

APPLICANT REQUEST - Permit 236 Multi-Family Units

Amend SP A request to amend Mt. Laurel Reserve Specific Plan for property located at Hicks Road (unnumbered), approximately 1,160 feet east of Sawyer Brown Road (36.25 acres), to permit the development of 236 multi-family residential units where 129 multi-family residential units were previously approved.

Existing Zoning

Specific Plan (SP-R) -Specific Plan-Residential is a zoning district category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes only one residential building type.

CRITICAL PLANNING GOALS/N/A

BELLEVUE COMMUNITY PLAN

Existing Policy

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

Consistent with Policy? No. The proposed amendment would increase the density to approximately 6.5 units per acre which is not consistent with the density called for in the policy. The density range of the policy would permit a maximum of 145 units. The proposed 236 units are approximately 62 percent more than what is intended by the policy. It is also important to note that the property is encumbered with

steep slopes (>25%), and problem soils. Due to the steep slopes and problem soils, densities at the upper range of the policy are not recommended.

PLAN DETAILS

History A preliminary SP plan was approved for Mt. Laurel Reserve by Metro Council in July 2007. The property was rezoned from one and two family residential (R20) to Specific Plan (SP) to allow a development of 106 attached units. In 2008 the SP was amended to permit 129 units.

Site Plan The current site plan proposes an amendment to the previously approved preliminary plan to increase the number of units from 129 to 236 units which is approximately 6.5 units per acre. As proposed the units will be within four, 24 unit buildings and seven, 20 unit buildings. The plan proposes recreational uses including a clubhouse and pool which were also included in the last approved plan. The building standards for the plan specify a maximum height of three stories, and side and rear setbacks of 5 feet and 20 feet, respectively.

Access The site is accessed from one drive off Hicks Road with all units having direct vehicle access to the drive. Internal walkways measuring five feet in width provide pedestrian connections throughout the development and to Hicks Road.

Parking A total of 425 parking spaces are provided. This is consistent with the Zoning Code requirement for a similar development (422 spaces).

Site Conditions The site is severely constrained by steep slopes and problem soils. Slopes on the property are in excess of 25 percent and the units have been clustered within the flattest part of the site along the ridgeline to limit disturbance of the topography. Sensitive soils are also present on the site. The soils are composed of Bodine-Sulfura and Dellrose Cherty-Silt Loam and a geotechnical study will be required during final site plan approval.

Analysis Staff is recommending disapproval of the request because it does not meet the area's Residential Low Medium land use policy which calls for a density of two to four units per acre. The policy limits the overall density to 145 units, but the request is for 236 units. While the policy would permit up to 145 units, this density is not recommended due to the steep slopes and problem soils on the property. It is also important to note that the request has not been approved by the Fire Marshal's Office, which requires more than one access for multi-family developments with more than 200 units.

PUBLIC WORKS RECOMMENDATIONS

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. Private access road grade of 14% exceeds the 10% maximum and requires redesign.
3. As noted in the March 2011 traffic impact study, "the existing geometry limitations at the intersection of Hicks Road and the project access, a field-run survey should be conducted on Hicks Road in order to identify the extent to which the existing curve on Hicks Road will need to be modified to provide adequate sight distance at the project access. Specifically, it is anticipated that, at a minimum, some clearing and grading will be needed on the east side of Hicks Road along the project's frontage."
4. Prior to the submittal of construction plans, submit a "field run" survey along Hicks Road at the project access to provide adequate intersection and stopping sight distance, per AASHTO standards.

Maximum Uses in Existing Zoning District: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential(220)	36.25	-	129 U	906	67	89

Maximum Uses in Proposed Zoning District: **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	36.25	-	236 U	1554	120	148

Traffic changes between maximum: **SP-R** and proposed **SP-R**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	+107 U	+648	+53	+59

STORMWATER RECOMMENDATION Approved

FIRE MARSHAL RECOMMENDATION Disapprove.

SECTION D106. MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units.

Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

D106.2 Projects having more than 200 dwelling units.

Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

Actual or proposed fire hydrant(s) locations and flow data shall be shown on the plans used to protect structures for this project.

METRO SCHOOL BOARD REPORT

Projected student generation 12 Elementary 9 Middle 8 High

Schools Over/Under Capacity Students would attend Westmeade Elementary School, Bellevue Middle School, or Hillwood High School. All three schools are identified as being over capacity, but there is capacity within the cluster for elementary and middle school students; and within an adjacent cluster for high school students. This information is based upon data from the school board last updated October 2010.

STAFF RECOMMENDATION Staff recommends disapproval of the request because the proposed density exceeds the density called for by the area's Residential Low Medium land use policy, and the request has been disapproved by the Fire Marshal's Office for lack of adequate access.

CONDITIONS (if approved)

1. Permitted uses in this SP include Multi-Family Residential.
2. 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 RM9 zoning district as of the date of the applicable request or application.
3. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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.
4. 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 increases 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.
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.

Mr. Swaggart presented the staff recommendation of disapproval.

Dr. Cummings in at 4:35 p.m.

Roy Dale, applicant, requested action on this proposal so it can move forward and noted that they are fine with staff recommendation at this time.

Lynn Buff, 222 Still Spring Hollow Court, spoke in opposition to this proposal due to stormwater and traffic concerns.

Michael Rogers, 773 Dan Kestner, spoke in opposition to this proposal due to traffic concerns.

Sheri Weiner, 417 WF Rust Court, spoke in opposition to this proposal due to stormwater and traffic concerns as well as concerns with

overdeveloping the property.

Seanna Brandmeir, 1320 West Running Brook Road, spoke in opposition to the proposal due to stormwater concerns, slope of the mountains, and traffic concerns.

Edward Casey, 520 Holt Valley Road, spoke in opposition to the proposal due to traffic concerns and short site distances.

Mr. Dalton out at 4:41 p.m.

Mr. Dalton in at 4:42 p.m.

Kevin Jones, 7704 Dan Kestner Dr, spoke in opposition to the proposal due to numerous safety concerns, traffic and stormwater concerns, and the fact that there are already too many apartment developments in Bellevue. He would like to see more single family housing.

Councilmember Gotto moved and Mr. Ponder seconded the motion to close the Public Hearing and accept the staff recommendation of disapproval. (8-0)

Mr. Clifton suggested deferring rather than disapproving in order to be able to see the final project.

Chairman McLean stated that the applicant has asked for it to be moved forward therefore the applicant would need to request deferral.

Mr. Clifton stated that they have the authority to defer until the community can have a chance to look at it and hear other options. He inquired if there was any way to be able to require that it is brought back before the MPC if action is taken at this time.

Mr. Bernhardt stated that there is not a bill filed. Once the MPC makes a recommendation, nothing will require the applicant to come back before the MPC.

Councilmember Gotto stated that he would like to allow the current Councilmember the opportunity to deal with this and is afraid that if we defer, then it will take that opportunity away from him. He stated that he will suggest to Councilmember Crafton to re-refer this back to the MPC.

Mr. Clifton asked Mr. Dale if he would be willing to have this re-referred to the MPC.

Mr. Dale stated that he would prefer action to be taken tonight and that he believes that the Councilmember's intent is to re-refer it. He stated that he will make sure that it comes back before the MPC.

The vote was taken. (8-0)

Resolution No. RS2011-117

"BE IT RESOLVED by The Metropolitan Planning Commission that 2007SP-081-001 is **DISAPPROVED. (8-0)**

The proposed density exceeds the density called for by the area's Residential Low Medium land use policy, and the request has been disapproved by the Fire Marshal's Office for lack of adequate access."

5. 2011SP-010-001

HEARTH AT BRENTWOOD

Map 160, Parcel(s) 106, 108 Map 161, Parcel(s) 042

Map 171, Parcel(s) 168

Council District 31 (Parker Toler)

Staff Reviewer: Greg Johnson

A request to rezone from R40 to SP-MR zoning for properties located at 511 and 527 Old Hickory Boulevard and at Old Hickory Boulevard (unnumbered), opposite Hill Road and located partially within the Floodplain Overlay District (13.62 acres), to permit the development of a 109-bed assisted living facility (95,386 square feet) and a 41-bed nursing home facility (25,374 square feet), requested by Ragan-Smith-Associates Inc, applicant, Roy S. Jones, Trustee and Pamela T. Himebaugh, owners.

Staff Recommendation: DISAPPROVE as Stormwater Division is recommending disapproval.

APPLICANT REQUEST -Permit an assisted-living facility and a nursing home facility

Preliminary SP A request to rezone from One and Two Family Residential (R40) to Specific Plan – Mixed Residential (SP-MR) zoning for properties located at 511 and 527 Old Hickory Boulevard and at Old Hickory Boulevard (unnumbered), opposite Hill Road and located partially within the Floodplain Overlay District (13.62 acres), to permit the development of a 109-bed assisted living facility

(95,386 square feet) and a 41-bed nursing home facility (25,374 square feet).

CRITICAL PLANNING GOALS N/A

SOUTHEAST COMMUNITY PLAN

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

FO District Floodplain Overlay District (FO) represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life. **The proposed zoning request will not remove this property from the FO.**

Consistent with Policy? Yes. Assisted-living and nursing home land uses are treated similarly to residential uses in the Zoning Code. These uses, along with several other medical, institutional, and educational uses (hospice, residence for the handicapped, dormitory, fraternity house, orphanage, and monastery land uses) are permitted within multi-family residential zoning districts.

As defined by the Zoning Code, the proposed assisted-living and nursing facilities are within the density range of two to four dwelling units per acre required by RLM policy.

PROJECT DESCRIPTION The proposed SP is located along Old Hickory Boulevard approximately a half mile west of Edmonson Pike in an area comprised primarily of residential development in the form of single-family dwellings and townhouses.

Two separate land uses are proposed within the SP. A three-story assisted-living facility would occupy the east side of the SP area and a one-story nursing home facility (intended for Alzheimer's care) would occupy the west side of the SP. The two facilities are grouped together surrounding a shared loading dock. A perimeter driveway will provide access to both facilities through a single connection to Old Hickory Boulevard.

A stream runs along the front of the property parallel to Old Hickory Blvd. The assisted-living and nursing facilities are placed outside of the required stream buffer and floodplain boundaries.

The proposal meets applicable development standards of the Zoning Code. Parking requirements are met through surface parking. At a maximum of three stories in height, the proposal falls within the permitted maximum height. Landscape buffers are provided along property lines that are shared with residential development. The applicant intends to use existing trees along the edges of the property to screen the development to adjacent residential subdivisions.

Density For assisted-living facilities, the Zoning Code specifies that for purposes of density every three rooming units counts as one dwelling unit. Nursing home facilities are counted separately for floor area only, but not for density. With 109 beds, the assisted-living facility would be considered to have 36 dwelling units, or 2.64 dwelling units per acre.

Stream crossing Because the stream and floodway on the site run parallel to Old Hickory Boulevard, the driveway access to Old Hickory Boulevard from the assisted-living and nursing home uses must cross over the stream and floodway. Based on the perpendicular alignment of the crossing and the expected design, Metro Stormwater has recommended approval.

STORMWATER RECOMMENDATION Preliminary SP approved. [The Metro Stormwater Recommendation changed to a disapproval at the meeting and after the original staff report was mailed out]

FIRE MARSHAL RECOMMENDATION Preliminary SP approved.

PUBLIC WORKS RECOMMENDATION

1. The intersection sight distance along Old Hickory Blvd east of the project driveway should be improved by removing plant growth within the OHB ROW and on the project site within 10ft of the property boundary. This removal shall occur along the OHB frontage of the project in order to provide adequate sight distance.
2. Any landscaping and or signage placed at the entry should maintain the intersection sight distance sight lines. No excessive grading, signage, or landscaping should be placed within the sight triangles.

Maximum Uses in Existing Zoning District: **R40**

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)	13.62	4.63 D	15 L	144	12	16

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
Assisted Living (254)	13.62	-	153 Bedrooms	361	22	34

Traffic changes between maximum: **R10** and proposed **CL**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+217	+10	+18

STAFF RECOMMENDATION Staff recommends disapproval since the Metro Stormwater division of Water Services is recommending disapproval. [The staff recommendation of disapproval was a change from the original staff recommendation which was mailed out to the Commissioners since the Stormwater recommendation had changed to a disapproval prior to the meeting.]

CONDITIONS (if approved)

1. Permitted land uses within this SP are limited to assisted care and nursing home facility uses.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Council approval, the property shall be subject to the standards, regulations and requirements of the RM4 zoning district as of the date of the applicable request or application.
3. A corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro 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.
4. 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.
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.

Mr. Johnson presented the staff recommendation of disapproval. The staff recommendation of disapproval was a change from the original staff recommendation which was mailed out to the Commissioners since the Stormwater recommendation had changed to disapproval prior to the meeting.]

David Kleinfelter, 424 Church Street, requested that the MPC recommend approval with the condition that the project has to be approved by Stormwater before the final SP can be approved.

Randy Caldwell stated that 70% of this site is open space. He also noted that they worked very closely with Stormwater on this and over 85% of this area would be pervious pavement.

Jonas Kalnas, 513 Copperfield Way, spoke in support of the proposal, but with some changes to make it consistent with the character of the surrounding community.

Shawn Henry, 315 Deaderick Street, spoke against the proposal, stating that the issue here is mass, scale, bulk, and context with properties around it. This is a medical use, and medical facilities are not an appropriate use under the Land Use Plan.

Michael Rowan, 1124 Woodvale Drive, spoke in opposition to the proposal due to traffic and stormwater issues. He stated that a facility of this size does not need to be built in a flood area.

Sandra Adams, 85 Trotwood Circle, spoke in opposition to the proposal, stating concerns with reduced property values, stormwater and traffic issues. A three story, large scale complex that is sandwiched by residential homes is out of context with the surrounding area.

Judy Isenhour, 109 Chuzzlewit Down, spoke in opposition, stating that the proposed development is inappropriate. She noted that the

property should be developed as residential.

Paul Mensi, 105 Chuzzlewit Down, spoke in opposition to the proposal. He stated that the property should remain zoned for single family homes.

Roger Mishler, 5 Todgers Court, spoke in opposition to the proposal, stating he would like the property developed as single family residential. His house is closest to the project. He does not feel that this is a compatible land use.

Walt Slaughter, Chuzzlewit Down, spoke in opposition to the proposal.

James Kershaw, 621 Copperfield Court, spoke in opposition to the proposal.

David Harvey, 4 Todgers Court, spoke in opposition to the proposal noting concerns with increased traffic and lighting.

Len Paulsen, 11 Micawber Court, spoke in opposition to the proposal noting that he will have significant damage to his house due to construction of this project.

Eduardo Ariuo de la Rubia, spoke in opposition to the proposal.

Brian Siewart, 5711 Chadwick Lane, spoke in opposition to the proposal.

Councilmember Toler spoke in opposition to the proposal due to the massive size of the complex.

David Kleinfelter stated that there is no question that this is a residential use, not a medical use. He again asked the commission to approve with a condition that Stormwater approves before a final SP is approved.

Shawn Henry stated that this is a medical facility. It is not contextually sensitive to its surroundings.

Mr. Clifton moved and Dr. Cummings seconded the motion to close the Public Hearing. (8-0)

Mr. Dalton inquired what the SP would allow that the current zoning does not.

Mr. Johnson clarified that the current zoning is one/two family zoning; the SP would allow multi-family.

Mr. Dalton asked for clarification on the ordinance regarding stormwater.

Mr. Bernhardt stated that the stormwater ordinance states that there can be no structures in the floodway. A bridge would be a structure that would not be allowed in the floodway under the current ordinance.

Mr. Dalton stated that when you look at the magnitude of this facility, it is inconsistent with the current area. He is not in support of this proposal at this time.

Ms. Jones clarified that there would be 31,000 square feet per floor.

Mr. Clifton stated that he is not sure that this is the way to go due to the massive size of the project and is still thinking about it.

Dr. Cummings stated that she does not have a problem with putting facilities like this among residents, but this is too large. She has no concerns with the setback, buffering, or traffic, but the square footage seems too large for this area.

Ms. Escobar agreed that there is a need for nursing homes in residential areas, but doesn't believe that this fits with the surrounding area.

Mr. Ponder stated that there is definitely a need for this kind of facility, but he can not support this as currently proposed due to the large size of the project.

Councilmember Gotto moved and Mr. Dalton seconded the motion to approve the staff recommendation of disapproval. (8-0)

Resolution No. RS2011-118

"BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-010-001 is **DISAPPROVED. (8-0)**

The proposed stream crossing for a driveway will conflict with Council ordinance BL2010-794. The size of the proposed buildings is out-of-character with surrounding development."

6. 2011SP-012-001

NOLENSVILLE PIKE CAR WASH

Map 161, Parcel(s) 306

Council District 31 (Parker Toler)

Staff Reviewer: Brian Sexton

A request to rezone from CL to SP-A zoning property located at 5828 Nolensville Pike, approximately 1,400 feet south of Old Hickory Boulevard (1.08 acres), to permit a 3,000 square foot automatic car wash facility and within the Floodplain Overlay District, requested by Barge Cauthen & Associates Inc, applicant, Glory Teller Office LLC, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST -Rezone to SP for Car Wash

Preliminary SP A request to rezone from Commercial Limited (CL) to Specific Plan – Auto (SP-A) zoning for property located at 5828 Nolensville Pike, approximately 1,400 feet south of Old Hickory Boulevard (1.08 acres), to permit a 3,000 square foot automatic car wash facility.

Existing Zoning

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

FO District - Floodplain Overlay District (FO) represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life. On July 11, 2008, a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency removed a portion of this property from the floodway and floodplain. **The proposed zoning request will not remove this property from the FO.**

Proposed Zoning

SP-A District - Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. *This Specific Plan is limited to a car wash and all other uses permitted by the CL zoning district.*

CRITICAL PLANNING GOALS/N/A

SOUTHEASTCOMMUNITY PLAN

Retail Concentration Super Community (RCS) RCS policy is intended for large size retail uses and to provide a wide array of goods and services. Typical RCS uses include retail shops, consumer services, restaurants, and entertainment. In RCS areas that are located at highway interchanges, a limited amount of uses intended to serve travelers is also appropriate. In addition, super community scale retail concentrations usually contain large, single, specialized retail stores, which draw people from a wider market area.

Consistent with Policy? Yes. The request to rezone from CL to SP is consistent with the RCS policy. The RCS policy supports this type of use.

PLAN DETAILS The plan calls for the development of a 3,000 square foot, full service, drive-thru, car wash tunnel along Nolensville Pike. Approximately 0.44 acres of the site is located within the FO District along the western portion of the property. The car wash tunnel is proposed on the northeast portion of the property and is not located within FO District. This plan does not propose any development within the FO District. Automobiles will have access to the car wash tunnel via an 11-foot canopy pre-pay station. Fifteen vacuuming stalls are located to the south of the proposed tunnel.

A list of building materials was not submitted and will be required prior to Final Site Plan approval for this development. Prohibited building materials include unfinished concrete blocks, plywood, aluminum and vinyl siding. The site plan proposes a 14-foot high monument sign on the north east portion of the property along Nolensville Pike. Adequate sign details were not included in this SP. Sign elevations for the car wash will need to be submitted prior to Final Site Plan approval for review and approval by staff.

Access/Parking Primary access to site is located off Nolensville Pike. Adjacent to the carwash site is a 1.03 acre property identified for future development. This property is not part of the SP request. An access easement has been provided on the southern portion of the property proposed for the car wash. The easement serves both the car wash and the site identified for future development. The plan calls for a total of three parking spaces, plus one handicap parking space which meets the Zoning Code requirement for parking.

Sidewalks/Landscaping An existing sidewalk is located along Nolensville Pike and a walkway is proposed along the southern portion of the car wash facility. A variety of canopy trees and shrubs are proposed on site and along the perimeter of the property which meets the standard commercial Zoning Code requirements for landscaping. A dumpster is located on the southeast portion of the property. Screening elevations for the dumpster were not submitted to staff and must be provided with the final site plan.

PUBLIC WORKS RECOMMENDATION No Exception Taken

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail (814)	1.08	0.6 F	28,226 SF	1246	30	90

Maximum Uses in Proposed Zoning District: **SP-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Car Wash (948)	1.08	-	3,000 SF	NA	NA	34

Traffic changes between maximum: **CL** and proposed **SP-A**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	NA	NA	-56

STAFF RECOMMENDATION Staff recommends approval with conditions. The proposed SP is consistent with land use policy. The policy supports this type of use.

CONDITIONS

1. Prior to final site plan approval, the SP plan shall include a set of building materials that shall be reviewed and approved by the Planning Department. Prohibited building materials shall include unfinished concrete blocks, plywood, aluminum and vinyl siding.
2. Prior to final site plan approval, details of the signage for this SP shall be reviewed and approved by staff. All signage shall be monument style and consistent with the CL sign standards of the Metro Zoning Code.
3. Prior to final site plan approval, the final site plan for the SP shall include screening elevations for the dumpster.
4. This Specific Plan is limited to a car wash and all other uses permitted by the CL zoning district.
5. 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 CL zoning district as of the date of the applicable request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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.
7. 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.
8. 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.

Approved with conditions (7-0), Consent Agenda

Resolution No. RS2011-119

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011SP-012-001 is **APPROVED WITH CONDITIONS. (7-0)**”

Conditions of Approval:

1. Prior to final site plan approval, the SP plan shall include a set of building materials that shall be reviewed and approved by the Planning Department. Prohibited building materials shall include unfinished concrete blocks, plywood, aluminum and vinyl siding.

2. Prior to final site plan approval, details of the signage for this SP shall be reviewed and approved by staff. All signage shall be monument style and consistent with the CL sign standards of the Metro Zoning Code.
3. Prior to final site plan approval, the final site plan for the SP shall include screening elevations for the dumpster.
4. This Specific Plan is limited to a car wash and all other uses permitted by the CL zoning district.
5. 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 CL zoning district as of the date of the applicable request or application.
6. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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.
7. 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.
8. 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.

The proposed SP is consistent with the RCS land use policy. The policy supports the proposed land use."

Zone Changes

- 7. 2011Z-012PR-001**
28TH AVENUE NORTH (UNNUMBERED)
 Map 092-10, Parcel(s) 270
 Council District 21 (Edith Taylor Langster)
 Staff Reviewer: Brian Sexton

A request to rezone from IR to MUI district property located at 28th Avenue North (unnumbered), at the northeast corner of 28th Avenue North and Charlotte Avenue (3.06 acres), requested by Pearl Street Partners LLC, applicant, Ashley-Tompkins Real Estate Partnership, owner.

Staff Recommendation: APPROVE

APPLICANT REQUEST - Rezone from industrial to mixed use zoning.

Zone change A request to rezone from Industrial Restrictive (IR) to Mixed Use Intensive (MUI) district for property located at 28th Avenue North (unnumbered), at the northeast corner of 28th Avenue and Charlotte Avenue (3.06 acres).

Existing Zoning

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

Proposed Zoning

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

CRITICAL PLANNING GOALS

- Supports Infill Development
- Creates Walkable Neighborhoods

The development of this site includes the reuse and improvement of a site that is currently under- developed. The uses permitted by MUI zoning such as retail, restaurant and office will help to create a more pedestrian friendly environment. The proposed MUI zoning district will also help to support transit along Charlotte Avenue.

GREENHILLS/MIDTOWN COMMUNITY PLAN

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

Consistent with Policy? While a site plan was not submitted, the proposed mixed-use zoning district permits uses that are consistent with the MU land use policy. The MUI zoning district is appropriate because it will permit a wider range of uses such as residential, commercial and office. The proposed zoning is also consistent with existing character of the community. This area contains a mixture of existing commercial, office and residential uses on the east, west and south sides of the property.

The proposed MUI zoning district is appropriate along Charlotte Avenue because it helps to provide a greater mix of higher density residential and mixed use development along the corridor. Mixed use corridors are intended to be pedestrian friendly, prominent corridors that accommodate residential, commercial and mixed use development.

PUBLIC WORKS RECOMMENDATION A TIS may be required at development.

Typical Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	3.06	0.596 F	79,442 SF	283	24	26

Typical Uses in Proposed Zoning District: MUI

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.06	0.868 F	115,698 SF	1493	211	209

Traffic changes between typical: IR and proposed MUI

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+1210	+187	+183

Maximum Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	3.06	0.6 F	79,976 SF	283	24	26

Maximum Uses in Proposed Zoning District: MUI

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.06	5 F	666,468 SF	5748	856	826

Traffic changes between maximum: IR and proposed MUI

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+5465	+832	+800

METRO SCHOOL BOARD REPORT

Projected student generation **3** Elementary **2** Middle **3** High

Schools Over/Under Capacity Students would attend Park Avenue Elementary School, Bass Middle School, and Pearl Cohn High School. Bass Middle School is identified as being over capacity. There is capacity within the cluster for additional middle school students. This information is based upon data from the school board last updated October 2010.

Fiscal Liability The fiscal liability of 2 new middle school students is \$47,000 (2 X \$23,500 per student). This is only for information purposes to show the potential impact of this proposal, it is not a staff condition of approval.

STAFF RECOMMENDATION Staff recommends approval. The proposed MUI zoning district is consistent with the MU land use policy. The proposed zoning will move the property closer to the MU policy.

Approved (7-0), Consent Agenda

Resolution No. RS2011-120

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011Z-012PR-001 is **APPROVED. (7-0)**

The proposed MUI zoning district is consistent with the MU land use policy.”

8. 2011Z-013PR-001

7791 CHARLOTTE PIKE

Map 128, Parcel(s) 122

Council District 22 (Eric Crafton)

Staff Reviewer: Greg Johnson

A request to rezone from R40 to AR2a district property located at 7791 Charlotte Pike, approximately 2,450 feet west of Forrest Valley Drive (10.0 acres), requested by David Lowry, applicant, Donald D. Henry Sr., owner.

Staff Recommendation: APPROVE

APPLICANT REQUEST -Zone change from residential to agricultural.

Zone Change A request to rezone from One and Two-Family Residential (R40) to Agricultural/Residential (AR2a) district property located at 7791 Charlotte Pike, approximately 2,450 feet west of Forrest Valley Drive (10.0 acres).

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 percent duplex lots. This zoning district could permit approximately 76 dwelling units. The subject site has had R40 zoning since 1974.

Proposed Zoning

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. This zoning district could permit approximately 34 dwelling units.

CRITICAL PLANNING GOALS/N/A

BELLEVUE COMMUNITY PLAN

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

Consistent with Policy? Yes, the proposed AR2a zoning district would allow for the development of up to 5 residential lots within the 10 acre boundary at a density of 0.5 units per acre. This residential density is the lowest allowed by any standard zoning classification, and is consistent with NCO policy according to the Land Use Policy Application of Nashville.

Much of the site is identified with steep slopes and problem soils. Any development consistent with the Zoning Code requirements of AR2a zoning would have to follow additional standards for development on steep slopes and problem soils.

Unlike the other residential zoning districts, AR2a zoning allows for mobile homes, which are defined as a “movable single wide manufactured home.” A mobile home within AR2a zoning must be on its own lot no smaller than two acres in size. A mobile home park is not permitted within AR2a zoning. The applicant does not intend to use the site for mobile home development.

On December 9, 2010, the Planning Commission approved a R40 to AR2a zone change for the same applicant on an adjacent property to the northeast.

TRAFFIC INFORMATION Traffic Table not prepared. Request is a down zoning and will not generate additional traffic demands.

METRO SCHOOL BOARD REPORT A school board report was not generated because the proposed zoning classification would generate fewer school age children than the current R40 zoning classification.

STAFF RECOMMENDATION Staff recommends approval of the proposed AR2a zoning district because it is consistent with the NCO policy.

Approved (7-0), Consent Agenda

Resolution No. RS2011-121

“BE IT RESOLVED by The Metropolitan Planning Commission that 2011Z-013PR-001 is **APPROVED. (7-0)**

The proposed AR2a zoning is consistent with and is the primary policy used to implement NCO policy.”

Planned Unit Developments

9. 2003P-007-002

THE VILLAGES OF DONELSON HILLS (FORMERLY CUMBERLAND YACHT HARBOR)

Map 095-02, Parcel(s) 110, 173
Council District 15 (Phil Claiborne)
Staff Reviewer: Jason Swaggart

A request to amend the preliminary plan for the Cumberland Yacht Harbor Planned Unit Development located at 2140 Lebanon Pike and 252 Donelson Hills Drive, at the southwest corner of Lebanon Pike and Donelson Hills Drive, classified MUG and located within the Floodplain Overlay District (40.0 acres), to permit the development of 126 dwelling units, 18,000 square feet of commercial space, replacing 181 dwelling units, 50,735 square feet of commercial space and a marina previously approved, requested by Dale & Associates, applicant, for Thomas W. Beasley and Brett Alan Wesnofske, owners.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Permit 126 multi-family units and 18,000 square feet of commercial space.

Amend PUD A request to amend the preliminary plan for the Cumberland Yacht Harbor Planned Unit Development located at 2140 Lebanon Pike and 252 Donelson Hills Drive, at the southwest corner of Lebanon Pike and Donelson Hills Drive, classified Mixed Use General (MUG) and located within the Floodplain Overlay District (40.0 acres), to permit the development of 126 dwelling units, 18,000 square feet of commercial space, replacing 181 dwelling units, 50,735 square feet of commercial space and a marina previously approved.

Existing Zoning

MUG District - Mixed Use General is intended for a moderately high intensity mixture of residential, retail, and office uses.

FO District - Floodplain Overlay District (FO) represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life. **The proposed PUD amendment will not remove this property from the FO.**

CRITICAL PLANNING GOALS N/A

DONELSON/HERMITAGE COMMUNITY PLAN

Existing Policy

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

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? Yes. As proposed, the plan is mostly consistent with the land use policies on the property. The area proposed for residential and commercial uses is within a mixed-use policy and is currently zoned for mixed-use. The areas within Natural Conservation reflect Mill Creek and its floodway. The plan does call for significant manipulation of the floodway including excavation and the creation of wetlands and a trail system. While NCO policy does not encourage development, it does not rule it out. NCO policy permits low intensity development, and the manipulation of the floodway for the creation of wetlands could be supported by the policy.

REQUEST DETAILS

History The original PUD plan, Cumberland Yacht Harbor, was approved by Metro Council in 2003 (BL2003-1463), and also included a base zone change from RS10 to MUG (BL2003-1462). The approved plan consisted of 181 condominium units, 50,735 square feet of retail/restaurant/office space, and a 225 slip public marina and marina services. No final site plans have been approved for the site.

General This is a request to amend the Council approved preliminary PUD plan. An Amendment to a PUD is considered a major change to the plan and requires Metro Council approval. It also requires a recommendation from the Planning Commission. Revisions to PUDs are considered minor changes and can be approved at the Planning Commission level. The project site is located along Mill Creek at its confluence with the Cumberland River. Being that the site is along Mill Creek and the Cumberland, it is encumbered with floodway and floodplain. The site consists of two separate properties. The larger property is undeveloped, and the smaller lot at the intersection of Lebanon Pike and Donelson Hills contains a single-family residence. The original plan approved in 2003, intended to excavate the area along Mill Creek to create a marina. The marina is not included in the current proposal and the area along Mill Creek, which is mostly floodway and floodplain, is to become constructed wetlands and will include walkways and a greenway trail.

Site Plan The plan calls for 126 multi-family units (3.15 units per acre) and 18,000 square feet of commercial space. A majority of the residential units (66) are cottage style units and are arranged around a green area. An additional 60 units are located in a single three-story building, which is located at the rear of the property furthest away from Lebanon Pike. The plan calls for a total of 18,000 square feet of commercial space. As proposed, the commercial space is provided in four separate buildings along Lebanon Pike. The plan calls for the construction of wetlands along Mill Creek.

Access to the site is proposed from one drive at Lebanon Pike and one drive at Donelson Hills Drive. A total of 357 parking spaces are proposed and this meets the minimum number of spaces required by the Zoning Code. Public sidewalks are shown along Lebanon Pike and Donelson Hills Drive. Private sidewalks are provided throughout the site and provide sufficient connectivity for pedestrians. A 12 foot wide trail is also proposed within the floodway for Mill Creek.

ANALYSIS The plan represents a major change from the concept last approved by Council which included a marina. Because this is a significant change, it requires approval from Council.

Staff has no major issues with the proposed layout, but has minor concerns with the layout of the first set of cottage units. These units front onto a green area that is immediately adjacent to the parking lot for the commercial buildings. While the units are fronted by a green area, the adjacent parking lot is likely to overshadow the small green area. The applicant has agreed to continue to work with staff on a redesign, and will present a revised layout with the final site plan.

Of most concern is how this project impacts the floodway and floodplain for Mill Creek. As proposed the project requires significant alteration of the floodway and floodplain for Mill Creek. Zoning permits up to 50 percent disturbance of floodplain, but prohibits disturbance of the floodway. Any deviation from these requirements must be approved by the Stormwater Management Committee. On May 5, 2011, the Stormwater Management Committee granted preliminary approval. While the committee has granted preliminary approval, the required variances have not been approved, and once more details of the plan have been finalized, then it will go back to the committee for the needed variances.

One of the main purposes of the Planned Unit Development regulations is to provide additional flexibility in order to preserve and protect environmentally sensitive lands. While the plan does propose manipulation of the floodway it is for the construction of wetlands and not for buildings and/or automobile parking. In essence the floodway is not being lost to development, but according to the applicant it is being "enhanced." Since the plan does not propose any major development in the floodway other than the construction of wetlands and a trail, then it can be argued that the proposal is protecting the floodway, and may actually benefit the area by reducing flood risk, increasing water treatment and providing wetland habitat.

In conclusion, staff recommends approval with conditions. As proposed the plan is consistent with the site's land use policies. It is also important to note that the zoning is already in place and the currently approved plan permits significantly more than what is currently being proposed. Ultimately if the required variances are not approved by the Stormwater Management Committee, then the proposed project will not be permitted. Any new plans will have to be approved by the Planning Commission and/or Metro Council.

PUBLIC WORKS RECOMMENDATION 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.

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

1. With the construction permitting the 75th residential unit but no retail:
 - a. Construct the project access road on Lebanon Pk with a minimum of 1 entering lane and 2 exiting lanes with a minimum of 250 feet of storage with transitions in accordance with AASHTO and MUTCD standards.
 - b. Construct an eastbound left turn lane on Lebanon Pk at the project access with 150 ft of storage and transitions per AASHTO and MUTCD standards.
 - c. Developer shall conduct signal warrant analysis at Lebanon Pk project access upon completion of residential and/ or retail buildings or as directed by Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review

and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. Signal shall include pedestrian signals and facilities in accordance with ADA standards. Communications interconnect should be provided to the nearest adjacent coordinated traffic signal.

- d. Early construction of the retail portion may alter the schedule of the required offsite improvements as determined by the Metro Traffic Engineer.
 - e. Design of the roundabout shall be in accordance with FHWA guidelines.
 - f. Parking shall be provided on site for specific land uses in accordance with Metro Code.
 - g. Prior to the preparation of construction plans, document adequate sight distance at project access locations. Indicate the available and required sight distance at the project entrances for the posted speed limit per AASHTO standards.
2. With significant build out of residential, retail and connection to Donelson Hills Drive:
 - a. Construct a center turn lane on Lebanon Pk from Donelson Hills Drive extending to the left turn lane at the project access with transitions per AASHTO and MUTCD standards.
 - b. Developer shall conduct signal warrant analysis at Donelson Hills Drive/ Lebanon Pk upon completion of residential and retail buildings or as directed by the Metro Traffic Engineer . The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. Signal shall include pedestrian signals and facilities in accordance with ADA standards. Communications interconnect should be provided to the nearest adjacent coordinated traffic signal.
 - c. Donelson Hills Drive shall be widened to provide separate southbound right and left turn lanes with tapers per AASHTO and MUTCD standards. Additional traffic analysis will be required to determine the appropriate storage length.
 - d. If no connection is permitted to Donelson Hills Drive, additional traffic analysis will be required to evaluate proposed storage lengths or the need for additional improvements.
 3. Approved traffic conditions may be modified based on subsequent review and approval of a new traffic impact study by the Metro Traffic Engineer and the Planning Commission.

STORMWATER RECOMMENDATION Approved

While preliminary approval has been granted by the Stormwater Management Committee (SWMC) all required variances shall be approved by the SWMC prior to the approval of any final site plan for the project.

METRO SCHOOL BOARD REPORT A school board report was not generated because the request reduces the overall number of units within the PUD.

STAFF RECOMMENDATION Staff recommends approval with conditions. As proposed the plan is consistent with the site's land use policies.

CONDITIONS

1. Prior to any final site plan approval, all required variances for work within floodway and floodplain shall be approved by the Stormwater Management Committee.
2. The applicant shall work with Metro Parks and Recreation on the design and construction of the trail along Mill Creek, and the greenway shall meet the minimum design standards unless an alteration is approved by Metro Parks and Recreation. The trail including necessary easements shall be offered to Metro, and if accepted the greenway easement shall be shown on the first final site plan and shall be constructed by the developer prior to being dedicated to Metro. Construction of the greenway shall be completed prior to the issuance of any Use and Occupancy permits being issued.
3. Buildings along Lebanon Pike and Donelson Hills Drive shall be designed to appear as if they front onto Lebanon Pike and Donelson Hills Drive. A note indicating this requirement shall be added to the preliminary plan.
4. The layout of the residential units shall be revised with the final site plan and approved by Planning staff prior to final site plan approval.
5. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed seven feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All signs shall, otherwise, meet the base zoning requirements, and shall be approved by the Metro Department of Codes Administration.
6. With the permitting of the 75th residential unit but no retail:
 - a. Construct the project access road on Lebanon Pk with a minimum of 1 entering lane and 2 exiting lanes with a minimum of 250 feet of storage with transitions in accordance with AASHTO and MUTCD standards.
 - b. Construct an eastbound left turn lane on Lebanon Pk at the project access with 150 ft of storage and transitions per AASHTO and MUTCD standards.
 - c. Developer shall conduct signal warrant analysis at Lebanon Pk project access upon completion of residential and/ or retail buildings or as directed by Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. Signal shall include pedestrian signals and facilities in accordance with ADA standards. Communications interconnect should be provided to the

- nearest adjacent coordinated traffic signal.
 - d. Early construction of the retail portion may alter the schedule of the required offsite improvements as determined by the Metro Traffic Engineer.
 - e. Design of the roundabout shall be in accordance with FHWA guidelines.
 - f. Parking shall be provided on site for specific land uses in accordance with Metro Code.
 - g. Prior to the preparation of construction plans, document adequate sight distance at project access locations. Indicate the available and required sight distance at the project entrances for the posted speed limit per AASHTO standards.
7. With significant build out of residential, retail and connection to Donelson Hills Drive:
 - a. Construct a center turn lane on Lebanon Pk from Donelson Hills Drive extending to the left turn lane at the project access with transitions per AASHTO and MUTCD standards.
 - b. Developer shall conduct signal warrant analysis at Donelson Hills Drive/ Lebanon Pk upon completion of residential and retail buildings or as directed by the Metro Traffic Engineer . The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. Signal shall include pedestrian signals and facilities in accordance with ADA standards. Communications interconnect should be provided to the nearest adjacent coordinated traffic signal.
 - c. Donelson Hills Drive shall be widened to provide separate southbound right and left turn lanes with tapers per AASHTO and MUTCD standards. Additional traffic analysis will be required to determine the appropriate storage length.
 - d. If no connection is permitted to Donelson Hills Drive, additional traffic analysis will be required to evaluate proposed storage lengths or the need for additional improvements.
 8. Approved traffic conditions may be modified based on subsequent review and approval of a new traffic impact study by the Metro Traffic Engineer and the Planning Commission.
 9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
 10. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
 11. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

Dr. Cummings out at 5:46 p.m.

The Commission took a break at 5:47 p.m.

The Commission reconvened at 6:05 p.m.

Mr. Swaggart presented the staff recommendation of approval with conditions.

Roy Dale, applicant, spoke in support of staff recommendation. This project would basically be replacing a marina with an Ecopark. Creating wetlands in the floodway is a good way to utilize this property. Cottage Developments can be built in this community. Mr. Dale stated that the Ecopark will be open to anyone but will maintained by an association for now. There will need to be additional parking added along with possibly some vehicle charging stations. This development will be built to Greenway standards.

Councilmember Claiborne stated that four community meetings have been held and people have had ample opportunity to get involved. This would be a tremendous improvement over what is currently allowable and it is an effort to increase open space. The majority of community members that have attended the meetings are in support and feel that this would be a good use for the property.

David Huffman, spoke in opposition to the proposal.

Mr. Dalton moved and Councilmember Gotto seconded the motion to close the Public Hearing. (7-0)

Councilmember Gotto stated that this would be a huge reduction from what is currently approved to be built. He expressed his support, stating that this seems to be a much more environmentally friendly and neighborhood friendly development.

Mr. Ponder expressed his support, noting that there are some great advantages to this project. Mixed use is encouraged and the cottage development idea will encourage retirement people.

Mr. Clifton expressed his support and stated that this is an intriguing idea. He feels that this project has a lot of possibilities.

Ms. Jones expressed her support and commended bringing an Ecopark to Nashville. She would like to see more land planners look in this direction. She stated that she likes the cottage development idea and requested that the builder be architecturally sensitive to the age of the surrounding homes by not constructing a very contemporary building.

Mr. Dalton moved and Mr. Ponder seconded the motion to approve the staff recommendation of approval with conditions. (7-0)

Resolution No. RS2011-122

“BE IT RESOLVED by The Metropolitan Planning Commission that 2003P-007-002 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to any final site plan approval, all required variances for work within floodway and floodplain shall be approved by the Stormwater Management Committee.
2. The applicant shall work with Metro Parks and Recreation on the design and construction of the trail along Mill Creek, and the greenway shall meet the minimum design standards unless an alteration is approved by Metro Parks and Recreation. The trail including necessary easements shall be offered to Metro, and if accepted the greenway easement shall be shown on the first final site plan and shall be constructed by the developer prior to being dedicated to Metro. Construction of the greenway shall be completed prior to the issuance of any Use and Occupancy permits being issued.
3. Buildings along Lebanon Pike and Donelson Hills Drive shall be designed to appear as if they front onto Lebanon Pike and Donelson Hills Drive. A note indicating this requirement shall be added to the preliminary plan.
4. The layout of the residential units shall be revised with the final site plan and approved by Planning staff prior to final site plan approval.
5. There shall be no pole signs allowed, and all free standing signs shall be monument type not to exceed seven feet in height. Changeable LED, video signs or similar signs allowing automatic changeable messages shall be prohibited. All signs shall, otherwise, meet the base zoning requirements, and shall be approved by the Metro Department of Codes Administration.
6. With the permitting of the 75th residential unit but no retail:
 - a. Construct the project access road on Lebanon Pk with a minimum of 1 entering lane and 2 exiting lanes with a minimum of 250 feet of storage with transitions in accordance with AASHTO and MUTCD standards.
 - b. Construct an eastbound left turn lane on Lebanon Pk at the project access with 150 ft of storage and transitions per AASHTO and MUTCD standards.
 - c. Developer shall conduct signal warrant analysis at Lebanon Pk project access upon completion of residential and/ or retail buildings or as directed by Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. Signal shall include pedestrian signals and facilities in accordance with ADA standards. Communications interconnect should be provided to the nearest adjacent coordinated traffic signal.
 - d. Early construction of the retail portion may alter the schedule of the required offsite improvements as determined by the Metro Traffic Engineer.
 - e. Design of the roundabout shall be in accordance with FHWA guidelines.
 - f. Parking shall be provided on site for specific land uses in accordance with Metro Code.
 - g. Prior to the preparation of construction plans, document adequate sight distance at project access locations. Indicate the available and required sight distance at the project entrances for the posted speed limit per AASHTO standards.
7. With significant build out of residential, retail and connection to Donelson Hills Drive:
 - a. Construct a center turn lane on Lebanon Pk from Donelson Hills Drive extending to the left turn lane at the project access with transitions per AASHTO and MUTCD standards.
 - b. Developer shall conduct signal warrant analysis at Donelson Hills Drive/ Lebanon Pk upon completion of residential and retail buildings or as directed by the Metro Traffic Engineer. The warrant analysis and traffic counts shall be submitted to the Metro Traffic Engineer for review and approval. The developer shall design and install a traffic signal when approved by the Traffic and Parking Commission. Signal shall include pedestrian signals and facilities in accordance with ADA standards. Communications interconnect should be provided to the nearest adjacent coordinated traffic signal.

- c. Donelson Hills Drive shall be widened to provide separate southbound right and left turn lanes with tapers per AASHTO and MUTCD standards. Additional traffic analysis will be required to determine the appropriate storage length.
- d. If no connection is permitted to Donelson Hills Drive, additional traffic analysis will be required to evaluate proposed storage lengths or the need for additional improvements.
8. Approved traffic conditions may be modified based on subsequent review and approval of a new traffic impact study by the Metro Traffic Engineer and the Planning Commission.
9. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
10. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
11. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

The plan is consistent with the site's land use policies through its placement of development within the MU policy area and wetlands and open space within the NCO policy area."

10. 2005P-023-003

BELLE ARBOR

Map 041, Parcel(s) 147 Map 050, Parcel(s) 031, 132

Council District 03 (Walter Hunt)

Staff Reviewer: Jason Swaggart

A request to amend the preliminary plan for the Belle Arbor Planned Unit Development Overlay located at 3549 Brick Church Pike and at Westchester Drive (unnumbered), south of Bellshire Drive (73.59 acres), zoned RM6, R10 and partially located within the Floodplain Overlay District, to permit 351 residential units where 371 were previously approved and to eliminate three street connection, requested by Dale & Associates, applicant, for Eatherly/Ring Joint Venture, owner.

Staff Recommendation: DISAPPROVE

APPLICANT REQUEST - Eliminate three approved street connections

Amend PUD A request to amend the preliminary plan for the Belle Arbor Planned Unit Development Overlay located at 3549 Brick Church Pike and at Westchester Drive (unnumbered), south of Bellshire Drive (73.59 acres), zoned Multi-Family Residential (RM6), One and Two-Family Residential (R10) and partially located within the Floodplain Overlay District (FO), to permit 351 residential units where 371 were previously approved and to eliminate three street connections.

Existing Zoning

RM6 District - RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre.

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 percent duplex lots.

FO District - Floodplain Overlay District (FO) represents all properties or portions of properties within the floodway, the 100 year FEMA floodplain, including specific local flood basin studies, and is established to preserve the function and value of floodplains and floodways to store and convey floodwater flows through existing and natural flood conveyance systems to minimize damage to property and human life.

CRITICAL PLANNING GOALS/N/A

REQUEST DETAILS

History The original plan was entitled Victory Village and was renamed Belle Arbor. The Planning Commission recommended that the Council approve the preliminary plan in 2005, and the plan was subsequently approved by Metro Council in 2006. The original plan included 135 single-family lots, 28 two-family lots (56 units), 155 multi-family units, an assisted-living facility with 75 beds, and a community center. In 2007 the Planning Commission approved a revision to the preliminary that included 135 single-family lots, 164 townhomes and cottages,

and 36 duplex lots (72 units) with an overall density of 4.3 units per acre, eliminating the assisted-living facility, and the community center. The last revision was approved in 2010. It had minor changes to the lot and open space layout, but did not increase the density or alter the basic concept of the last Council approved plan. To date 36 lots have been platted, and an additional 44 single-family lots have final site plan approval, but have not been platted.

General This is a request to amend the Council approved preliminary PUD plan. The primary intent of the request is the elimination of three street connections. The request also reduces the overall number of residential units and proposes minor changes to the overall layout.

As proposed, three local street connections to the south will be eliminated. All three connections would connect to existing streets in the adjacent Willow Creek Subdivision – Willow Creek Road, Brookway Drive and Brookdale Drive. One street connection to the Willow Creek Subdivision, Westchester Drive, will remain, and will eventually connect to a northern section of Westchester Drive in the Tuckahoe Subdivision to the northeast. Additional street connections are provided to Brick Church Pike and Brick Drive. Three stub-streets provide for future connections to undeveloped land to the north.

The proposed amendment would reduce the total number of residential units from 371 to 351.

Approved	Proposed
181 Single-Family	198 Single-Family
62 Duplex Units	26 Duplex Units
103 Town Homes (Multi-Family)	103 Town Homes (Multi-Family)
25 Cottage Units	24 Cottage Units
371 Total	351 Total

ANALYSIS Street connectivity is important for many reasons. Among many other reasons, street connectivity provides for better traffic movement, including safer routes for pedestrians and bicycles, and effective fire protection, street connectivity connects people and communities. Removing a street connection is rarely appropriate and the elimination of the three street connections proposed with this request will substantially reduce the connectivity of this development.

Staff is recommending disapproval of the request for several reasons. The elimination of the three street connections is not consistent with the overall intent of the PUD ordinance. According to the Metro Zoning Code (Section 17.36.030), the intent of a Planned Unit Development Overlay is to provide an “alternative zoning process that allows for the development of land in a well-planned and coordinated manner”. It permits a “greater mixing of land uses”, and “a framework for coordinating the development of land with the provisions of an adequate roadway system”. Minimum performance standards for a Planned Unit Development include “Coordinated Vehicular Access” requiring strong internal street connectivity as well as coordinated access to existing streets and surrounding properties.

The request is not consistent with the approved long-range transportation plan for the Parkwood/Union Hill community plan. The long-range transportation plan calls for at least two connections within the area connections are proposed to be eliminated.

The plan is not consistent with the adjacent Willow Creek Subdivision that was approved by the Planning Commission in 1983. The subdivision provides for the connections now proposed to be eliminated. Removal is in contradiction to the concept that was originally approved by the Commission, which provided for sufficient connectivity. With the removal of the connections Willow Creek Road, Brookway Drive and Brookdale Drive become permanent dead-end streets without a turn-around. Each street is well over 150 linear feet, and current regulations including the Subdivision Regulations and the fire code prohibit dead-end streets over 150 feet without a turn-around. Due to the fact that the streets will be over 150 feet, and will not have a turn-around, the Fire Marshal’s Office is recommending disapproval.

While the plan does not eliminate all street connections to the south, a majority of the southern connections, which would connect to existing streets, will be lost. Westchester Drive, the remaining southern connection will eventually link Brick Church Pike to Bellshire Drive and Dickerson Pike. Because Westchester will provide a more direct connection between major streets, and will also provide access to numerous homes, then it should be expected to have more trips than Willow Creek Road, Brookway Drive and Brookdale Drive. The three connections now proposed to be removed will provide for more options for local traffic and provide for safer connections for pedestrians and bicycles.

In conclusion, staff recommends disapproval of the proposal to eliminate the three street connections. The elimination of the connections is not consistent with the PUD Overlay requirements, the Parkwood/Union Hill community plan, or the concept for the adjacent Willowcreek Subdivision. Removing the street connections is also not consistent with overall planning goals, which among other goals, is to provide for a well-connected community which provides for better traffic movement including safer walking routes for pedestrians and bicycles and effective fire protection.

FIRE MARSHAL RECOMMENDATION Disapprove

- Eliminating connections creates dead-end streets without turnarounds in the Willow Creek Subdivision.

PUBLIC WORKS RECOMMENDATION

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. The bridge on Belle Arbor Drive connecting Phase 2 to Phase 3 of this development shall be bonded with the recording of the final plat for phase 2, and shall be constructed prior to the recording of any additional plats for any phase of the Belle Arbor development.
3. The southernmost bridge on Westchester Drive shall be bonded with the recording of the final plat for phase 3, and shall be constructed prior to the recordation of any additional phases on the east side of the stream.
4. Comply with all previous traffic conditions.

STORMWATER RECOMMENDATION Approved

METRO SCHOOL BOARD REPORT Since the request reduces the overall number of units a student generation report was not conducted.

STAFF RECOMMENDATION Staff recommends disapproval. The removal of the three street connections is not consistent with the PUD Overlay requirements, the Parkwood/Union Hill community plan, or the concept for the adjacent Willowcreek Subdivision. Removing the street connections is also not consistent with overall planning goals, which among other goals, is to provide for a well-connected community which provides for better traffic movement including safer walking routes for pedestrians and bicycles and effective fire protection. It is also important to note that the Fire Marshal recommends disapproval.

CONDITIONS (if approved)

1. The bridge on Belle Arbor Drive connecting Phase 2 to Phase 3 and 4 of this development shall be bonded with the recording of the final plat for phase 2, and shall be constructed prior to the recording of any additional plats for any phase of the Belle Arbor development.
2. The southernmost bridge on Westchester Drive shall be bonded with the recording of the final plat for phase 3, and shall be constructed prior to the recordation of any additional phases on the east side of the stream.
3. While the PUD permits duplex lots, locations shall be approved by the Planning Commission and shall be located at appropriate locations and shall not be grouped within one area. If appropriate locations are not provided then the Planning Commission may limit the total number of duplex lots below what is shown in the site data table.
4. 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.
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.
6. If the PUD final site plan or final plat indicates that there is less acreage than what is shown on the approved preliminary plan, the final site plan shall be appropriately adjusted to show the actual total acreage, which may require that the total number of dwelling units or total floor area be reduced.
7. Prior to any additional development applications for this property, and in no event later than 120 days after the effective date of the enacting ordinance, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. If a corrected copy of the preliminary PUD plan incorporating the conditions of approval therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the preliminary PUD plan shall be presented to the Metro Council as an amendment to this PUD ordinance prior to approval of any grading, clearing, grubbing, final site plan, or any other development application for the property.

Mr. Swaggart presented the staff recommendation of disapproval.

Roy Dale, applicant, spoke in support of the proposal stating that the developer has said that if connections have to occur, then they are out. The adjacent subdivision is a hotbed of crime. No one wants to live in this subdivision due to the adjacent one. It needs to be buffered. Mr. Dale asked the commission to recommend approval of this amendment.

Mr. Dalton asked for clarification on where the cul de sac would be.

Mr. Dale clarified.

Ms. Jones stated that Councilman Hunt indicated that he does not want any more building going on in this area and if we approve, then it opens it up for more development.

Mr. Dale stated that Councilman Hunt does want this development to succeed. He is supportive of the landscape buffer being placed so this development will have an opportunity to succeed.

Ms. Jones stated that they are asking to close three roads and asked if they want to build the subdivision through the third road.

Mr. Dale stated no. There are four points of access; three would be terminated and one would continue to connect. By putting the buffer there and allowing this to be a successful subdivision, there could be a connection towards the end. It just can't occur until the last phase.

Ms. Jones asked if they are only working in Phase I now.

Mr. Dale clarified that Phase I has been platted and Phase II has been proposed. He also stated that in the future, the intent is to have all single family lots.

Steven Sears, 3755 Willow Creek Road, spoke in favor of the proposal. If allowed to connect, no one else will buy here.

Mark Thompson, 1709 Russell Street, spoke in support of proposal.

Mr. Ponder moved and Councilmember Gotto seconded the motion to close the Public Hearing. (7-0)

Councilmember Gotto asked if there is a way to do a hammerhead on this property. He stated that he is inclined to approve the applicant's request.

Mr. Ponder stated that this has good possibilities as long as there is an opportunity to connect in the future.

Mr. Clifton inquired what the Council timetable is and asked if the Councilmember can still request a bill if we defer one meeting?

Mr. Swaggart stated that it is scheduled for the July Public Hearing and yes, the Councilmember can still request a bill if deferred.

Mr. Clifton stated the he is worried about setting a precedent. He suggested deferring one meeting and asking staff to create other thoughts/options to present without having to go all or nothing. He would also like more information from the Fire Department.

Chairman McLean suggested a possible option for there to be two hammerhead type turnarounds for Willow Creek Road and Brookway Drive to provide a temporary turnaround in the open space of the Bell Arbor PUD until such time as the two streets can be connected through to the PUD. It was suggested that at a certain level of buildout of the PUD, then the connections would be required to be made.

Mr. Dale proposed that the wide landscape buffer be given to the Association and they can choose at some time to connect or not. There will be a connection during the final phase.

Ms. Jones stated concerns with making this a lump sum issue. Instead of dealing with all three at one time, deal with the first one for now.

Mr. Dalton stated that he is open to Mr. Clifton's suggestion of deferring if other solutions can be identified, but he will vote for the proposal if asked to vote at this time.

Councilmember Gotto moved and Mr. Dalton seconded the motion to defer to the May 26th MPC meeting to allow staff to work with the Councilmember and applicant to explore other options. (7-0)

Resolution No. RS2011-123

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-023-003 is DEFERRED TO THE MAY 26, 2011, PLANNING COMMISSION MEETING. (7-0)"

J. PLANNING COMMISSION ACTIONS

Planned Unit Developments: final site plans

11. 117-67P-001

BELLE FOREST CENTER

Map 142, Part of Parcel(s) 159

Council District 22 (Eric Crafton)

Staff Reviewer: Jason Swaggart

A request to revise a portion of the preliminary plan and for final approval for a portion of the Belle Forest Center Commercial Planned Unit Development located at 7040 Highway 70 S, at the northeast corner of Highway 70 S and Old Hickory Boulevard, classified SCC (4.35 acres), to permit a 9,358 square foot building for retail and restaurant uses, replacing an existing 6,000 square foot retail building,

requested by Civil Design Consultants LLC, applicant, for BSM Belle Forest LLC, owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Demolish existing building and replace with a larger building.

Revise Preliminary PUD and Final A request to revise a portion of the preliminary plan and for final approval for a portion of the Belle Forest Center Commercial Planned Unit Development located at 7040 Highway 70 S, at the northeast corner of Highway 70 S and Old Hickory Boulevard, classified Shopping Center Commercial (SCC) (4.35 acres), to permit a 9,358 square foot building for retail and restaurant uses, replacing an existing 6,000 square foot retail building.

Existing Zoning

SCC District - Shopping Center Community is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area.

CRITICAL PLANNING GOALS N/A

PLAN DETAILS The Belle Forest Center PUD is located in Bellevue at the northeast corner of the intersection of U.S. Highway 70 and Old Hickory Boulevard. The PUD is currently built out, and consists of two retail buildings and an Exxon fuel station which is at the corner. The building proposed to be removed was previously occupied by Blockbuster Video.

The PUD was originally approved in 1967. It was last amended by Council in 1996. The plan approved in 1996 was for 51,183 square feet of commercial uses.

Site Plan The plan calls for the existing, approximately 6,000 square foot building that once was last occupied by Blockbuster Video to be removed, and replaced with a 9,358 square foot building bringing the overall floor area to 46,197 square feet for the property and 49,763 for the PUD (includes Exxon). The new building will be located near the eastern property line and the rear will double as a retaining wall. Proposed uses include retail, restaurant, and personal care services. Other uses permitted by the properties SCC zoning district would be permitted.

As proposed, 251 parking spaces are required and 252 spaces are being provided. Access to the site will not change. Currently there is little landscaping on the site but the plan calls for new landscaping including trees.

Analysis The proposed plan meets all zoning requirements. The floor area is within the limit approved by Council in 1986, and the concept is also consistent with the last council approved plan.

PUBLIC WORKS RECOMMENDATION No Exceptions Taken

STORMWATER RECOMMENDATION Approve with conditions:

1. Provide Maintenance Agreement, Long Term Plan, Dedication of Easement form and recording fees.
2. For the bioretention detail, provide more specifics on the planting soil.
3. On the plans, show the outlet structure with the underdrain on each sheet that shows the bioretention area.
4. Based on the outlet structure openings / inverts, unsure if there is adequate ponding depth (contours show bottom as 647 and the lowest weir elevation is only at 647.1).
5. The bioretention drainage map includes part of the building within the drainage area but field conditions show the roofs draining elsewhere. If this plan is to alter the existing roof drains, then add such notes to the plan.
6. For the bioretention area planting schedule, use a shredded hardwood verse a pine straw. Also, the bioretention bottom should trees / shrubs and

STAFF RECOMMENDATION Staff recommends that the request be approved with conditions. The proposed changes are consistent with the approved plan and meet all zoning requirements.

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 Harpeth Valley Utilities District.
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 Stormwater Management division of Water Services.
3. 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.
4. 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.
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.

6. 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.
7. 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.
8. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions (7-0), Consent Agenda

Resolution No. RS2011-124

“BE IT RESOLVED by The Metropolitan Planning Commission that 117-67P-001 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

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 Harpeth Valley Utilities District.
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 Stormwater Management division of Water Services.
3. 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.
4. 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.
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.
6. 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.
7. 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.
8. 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.”

12. 2005P-030-002

RAVENWOOD, PH 1, SEC 2A, 2B, 2C

Map 085, Part of Parcel(s) 213

Council District 14 (James Bruce Stanley)

Staff Reviewer: Brian Sexton

A request to revise the preliminary plan and for final approval for a portion of the Ravenwood Residential Planned Unit Development Overlay on a portion of property located at 4213 Stone Hall Boulevard (9.26 acres), at the end of Stone Hall Boulevard, zoned Single Family Residential (RS10), to modify the phasing line such that Phase 1, Section 2A has 27 Lots, 2B has 8 lots and 2C has 10 lots

for a total of 45 clustered lots instead of the 14 previously approved with no change to the PUD's overall total dwelling units, requested by Civil Site Design Group, applicant, for E. Phillips Development, LLC., Owner.

Staff Recommendation: APPROVE WITH CONDITIONS

APPLICANT REQUEST - Revise preliminary plan to modify phasing lines and final approval

Revise Preliminary PUD and Final Site Plan A request to revise the preliminary plan and for final approval for a portion of the Ravenwood Residential Planned Unit Development Overlay on a portion of property located at 4213 Stone Hall Boulevard (9.26 acres), at the end of Stone Hall Boulevard, zoned Single Family Residential (RS10), to modify the phasing line such that Phase 1, Section 2A has 45 clustered lots instead of the 14 lots previously approved.

Existing 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.

CRITICAL PLANNING GOALS/N/A

REQUEST DETAILS The final plan for Phase 1, Section 2A does not propose any new development. The PUD was originally approved in 2006 and was later revised in 2007 to permit the development of 14 single-family lots in Phase 1, Section 2A. This request revises the preliminary and final PUD to modify the phasing line such that Phase 1, Section 2A has 45 clustered lots instead of the 14 lots previously approved.

ANALYSIS The previously approved lot sizes within Phase 1, Section 2A range from 7,150 square feet to 14,213 square feet. There is approximately 0.74 acres of open space associated with this phase which is consistent with the council approved plan. The proposed modification does not exceed the maximum amount of units authorized by the Council approved PUD plan. The request is within the limits of a revision, and it does not require Council approval.

STORMWATER RECOMMENDATION

1. Provide a revised Maintenance Agreement (with the Void and Vacate clause) signed by the property owner. On the Long Term Plan, state the person's name responsible for maintenance. Also, provide letter from owner stating that grading and maintenance for this development will occur on his property and that he is responsible for maintenance.
2. The pond contours are not clear (some contours cross). Provide a cleaner pond survey. For pond and provide stage / storage info, stage was started at the 420 contour. Based on the contours, it is unsure if 420 if normal pool elevations.

PUBLIC WORKS RECOMMENDATION No exception taken

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

CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.

Approved with conditions (7-0), Consent Agenda

Resolution No. RS2011-125

"BE IT RESOLVED by The Metropolitan Planning Commission that 2005P-030-002 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Traffic Engineering Sections of the Metro Department of Public Works for all improvements within public rights of way.
3. This approval does not include any signs. Signs in planned unit developments must be approved by the Metro Department of Codes Administration except in specific instances when the Metro Council directs the Metro Planning Commission to review such signs.
4. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
6. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.
7. A corrected copy of the PUD final site plan incorporating the conditions of approval by the Planning Commission shall be provided to the Planning Department prior to the issuance of any permit for this property, and in any event no later than 120 days after the date of conditional approval by the Planning Commission. Failure to submit a corrected copy of the final PUD site plan within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission."

13. 53-84P-001

HICKORY HEIGHT VILLAS

Map 161, Parcel(s) 093

Council District 31 (Parker Toler)

Staff Reviewer: Greg Johnson

A request to revise a portion of the preliminary plan for the Hickory Heights Residential Planned Unit Development Overlay located at Swiss Avenue (unnumbered), approximately 750 feet west of Zermatt Avenue (3.87 acres), zoned RM15, to permit 325 multi-family dwelling units with structure parking within 2 buildings, requested by Wamble & Associates, applicant, for McL-R Partnership, owner.

Staff Recommendation: Defer to the May 26, 2011, Planning Commission meeting

The Metropolitan Planning Commission DEFERRED 53-84P-001 to the May 26, 2011, Planning Commission meeting at the request of the applicant. (7-0)

K. OTHER BUSINESS

14. Historical Commission Report
15. Board of Parks and Recreation Report
16. Executive Committee Report
17. Executive Director Report
18. Legislative Update

L. MPC CALENDAR OF UPCOMING MATTERS

May 12, 2011

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

May 16, 2011

Community meeting

6pm, 7940 Learning Lane, Harpeth Valley Elementary school cafeteria

Proposed plan amendment at Learning Lane in Bellevue (<http://www.nashville.gov/mpc/docs/main/BVNotice.pdf>)

Plan amendment request and accompanying zone change are to be considered at Metro Planning Commission's May 26 public hearing.

May 19, 2011

Council Budget Presentation

6:15pm, Metro Courthouse, Council Chamber

May 26, 2011

MPC Meeting

4pm, 700 Second Ave. South, Howard Office Building, Sonny West Conference Center

Amendments to the Subdivision Regulations

M. ADJOURNMENT

The meeting was adjourned at 7:16 p.m.

Chairman

Secretary