

Metropolitan Planning Commission



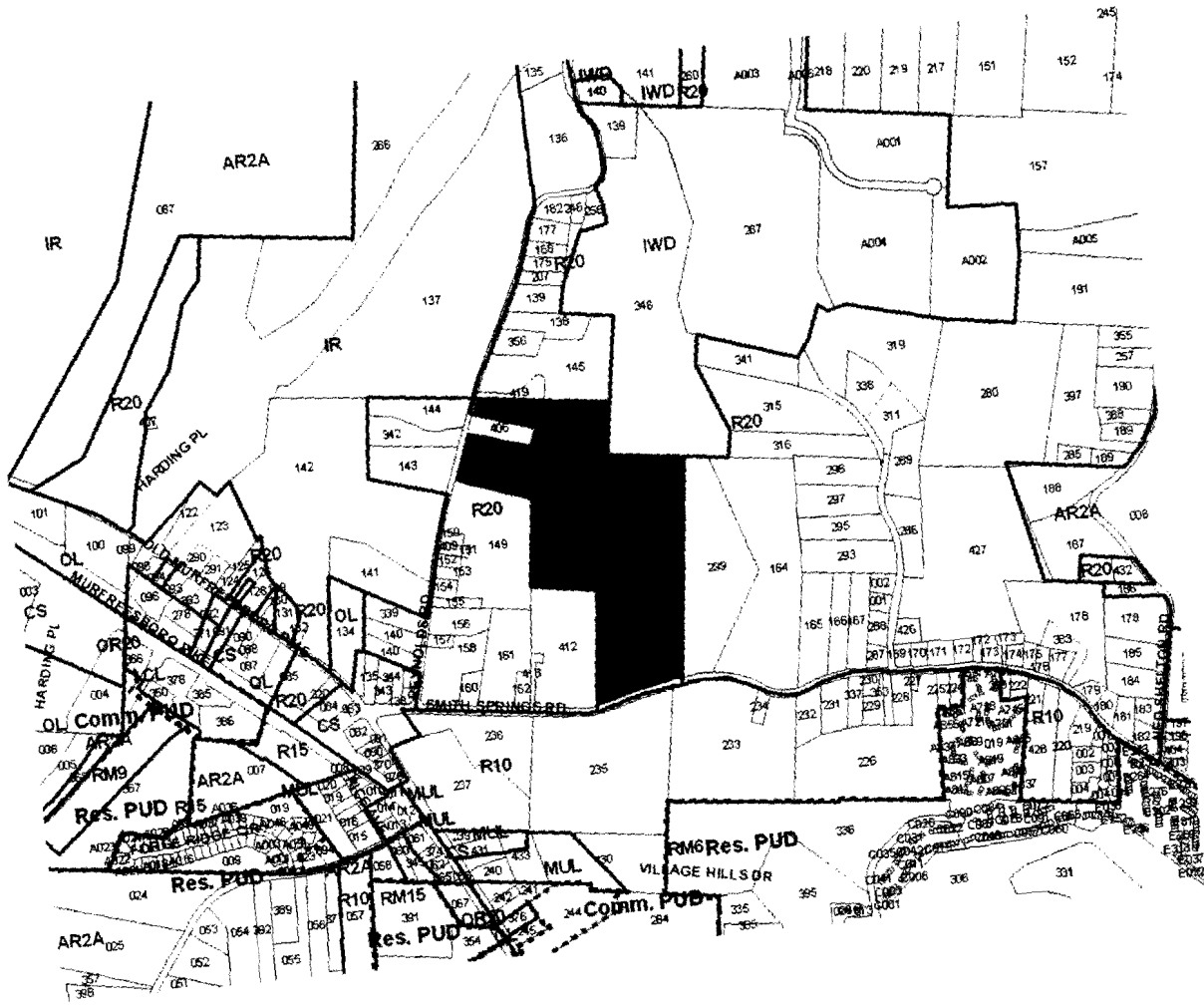
Staff Reports

May 12, 2011

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

PREVIOUSLY DEFERRED ITEMS

- **Specific Plan**
- **Zoning Change**
- **PUD (Amend)**



2011SP-004-001
SMITH SPRINGS ROAD
Map 135, Parcel(s) 146-148, 163
Antioch - Priest Lake
29 - Vivian Wilhoite



Project No. Zone Change 2011SP-004-001
Project Name Smith Springs Road SP
Council Districts 29 – Wilhoite
School Districts 6 – Mayes
Requested by Dale & Associates, applicant, for Stevenson Trust No. 8, owner
Deferral Deferred from the April 28, 2011, Planning Commission meeting
Staff Reviewer Bernards
Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Permit industrial, office, warehousing and multi-family.

Preliminary SP

A request to rezone from Single and Two-Family Residential (R20), Multi-Family Residential (RM9), and Industrial/Warehousing and Distributing (IWD) to Specific Plan-Mixed-Use (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.

Existing Zoning

R20 District

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

RM9 District

RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

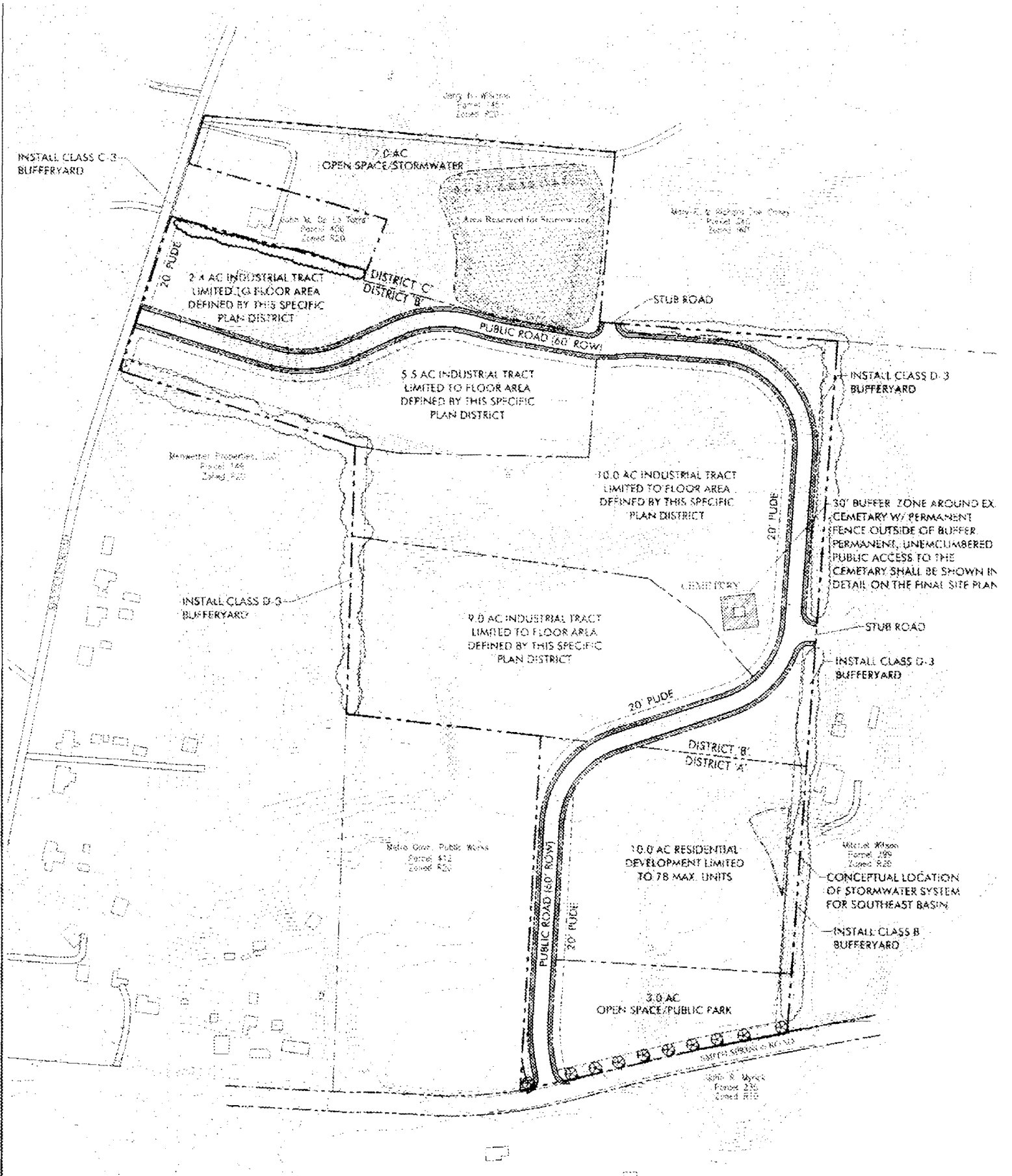
IWD District

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

Proposed Zoning

SP-MU District

Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes office, warehouse, industrial, multi-family and open space uses.





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CRITICAL PLANNING GOALS N/A

**ANTIOCH/PRIEST LAKE
COMMUNITY PLAN**

Neighborhood General(NG)

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Industrial (IN)

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

Consistent with Policy?

Yes. The area proposed for multi-family uses is located within the NG policy and the area proposed for industrial uses and open space are located within the IN policy. Currently, the portion of these properties zoned R20 fall within the IN policy area. This plan will bring these properties into conformance with the land use policy.

PLAN DETAILS

The proposed SP includes three districts, each with its own land uses and bulk standards. While a plan is included showing a potential lot layout, this is meant to be illustrative only and to outline permitted uses and their locations. A public street is shown with stub streets to the north and east. This will be the location of the street with minor alterations that might improve the horizontal or vertical alignments.

The SP district provides a cap on the maximum square footage for the industrial uses and permits medium manufacturing uses as well as the uses permitted in the IWD zoning district. The new public street will provide an alternative to Reynolds Road as the prime access to Smith Springs Road for the rear portion of these properties. Also, the SP provides for areas of permanent open space.



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District A

District A, with approximately 13 acres in area, is proposed for residential uses to provide a transition from Smith Springs Road to the District B. The uses and bulk standards for this district are similar to those for the RM6 zoning district with a maximum density of 78 residential units. The SP includes setback, height, floor area ratio (FAR) and impervious surface ratio (ISR). Limits are placed on the use of vinyl siding and a B Landscape buffer yard (as defined by the Metro Zoning Code) is shown on the eastern boundary. The proposed plan provides setbacks but does not discuss building orientation. A condition is proposed to require buildings on lots adjacent to Smith Springs Road be oriented towards Smith Springs Road, with the primary pedestrian entrances facing the street.

District B

District B, with approximately 28.6 acres in area, is proposed for industrial, office, and warehouse uses in the center of the property and fronting on Reynolds Road. Uses permitted within this sub-district are those allowed under the Industrial Warehousing/ Distribution (IWD) zoning district with the addition of medium manufacturing. The bulk standards of the IWD zoning district will apply in District B and there is a maximum floor area of 950,000 square feet proposed.

Various building materials are permitted. These include various types of concrete, brick and stone, architectural metals and glazing. Gloss, highly reflective metals are prohibited as the primary building material.

A 30 foot D Landscape buffer is identified along the west, east and northwest boundary adjacent to the existing R20 zoning districts.

District C

District C is approximately 7 acres in area and is proposed for open space or park only. No permanent structures are permitted. It will be placed in a separate parcel and maintained by a Property Owners Association.

Sidewalks

Sidewalks are shown on both sides of the new public street. Sidewalks will also be required along the frontage of the property being rezoned on Smith Springs Road with the development of District A.

Signs

Signs for District A are limited to one six foot tall ground sign with external lighting and shall be a monument style sign. Signs for District B are limited to building signs and six foot tall ground signs that shall be monument style



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signs, with external lighting. No permanent signage shall be permitted in District C.

Any phase of development in District B that will include multiple stories and/or tenants shall submit an overall sign program with the final site plan.

Cemetery

There is a cemetery located near the eastern property line. A 30 foot wide buffer with a permanent fence outside of the buffer is shown around the cemetery. A note on the plan states that permanent, unencumbered access to the cemetery shall be shown on the final site plan.

HISTORICAL COMMISSION RECOMMENDATION

“We agree with the proposed 30’ buffer zone around the existing cemetery as well as the installation of a permanent fence outside of the buffer. The cemetery is not easily accessible at the moment, but the property owner told me that he has plans to build up the grade around it. Hopefully this will improve accessibility to the cemetery—if, by chance, descendants come searching for it. We will continue to research the history of the cemetery for our own files, and hope one day it can be properly surveyed.” (Scarlett Miles, Historical Commission)

NES RECOMMENDATION

- 1) Developer drawing should show any existing utilities easements on property and the utility poles on the property and/or r-o-w.
- 2) 20 foot public utility easement required adjacent to all public r-o-w.
- 3) NES can meet with developer/engineer upon request to determine electrical service options
- 4) NES needs any drawings that will cover any road improvements to Metro r-o-w that Public Works will require.
- 5) NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under “Builders and Contractors” tab @ www.nespower.com).
- 6) NES needs to know if the developer has other options on property next to this area, if so NES needs an overall concept plan.
- 7) 20 foot public utility easement shall be clear of any permanent footings and structures.



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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.

A TIS will be required prior to development.

Maximum Uses in Existing Zoning District: **R20**

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)	6.56	2.31 D	15 U	144	12	16

Maximum Uses in Existing Zoning District: **RM9**

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)	8.3	9 D	74 U	572	40	59

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	28.27	0.8 F	985,152 SF	3508	296	316

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150)	28.6	0.8 F	996,652 SF	3549	299	319

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

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Multi-Family Residential (220)	13	6 D	78 U	597	42	61

Traffic changes between Maximum: **R20, RM9, IWD**, and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	-78	-7	-11



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METRO SCHOOL BOARD REPORT

A school board report was not generated because the request reduces the overall number of units permitted on this property.

STAFF RECOMMENDATION

Staff recommends approval with conditions of the Smith Spring Road SP. The proposed uses are consistent with the Neighborhood General and Industrial land use policies on the property.

CONDITIONS

1. A sidewalk, meeting Public Works standards, shall be required along the frontage of the property on Smith Springs Road with the first phase of development within District A.
2. Ground signs in District A and B shall be monument style signs with a maximum height of six feet.
3. Buildings on lots adjacent to Smith Springs Road shall be oriented towards Smith Springs Road, with the primary pedestrian entrances facing the street.
4. Any phase of development in District B that will include multiple stories and/or tenants shall submit an overall sign program with each final site plan.
5. The uses of this SP shall be limited to those uses shown on the plan.
6. 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 RM6 zoning district for District A, IWD zoning district for District B and AR2a zoning district for District C as of the date of the applicable request or application.
7. 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

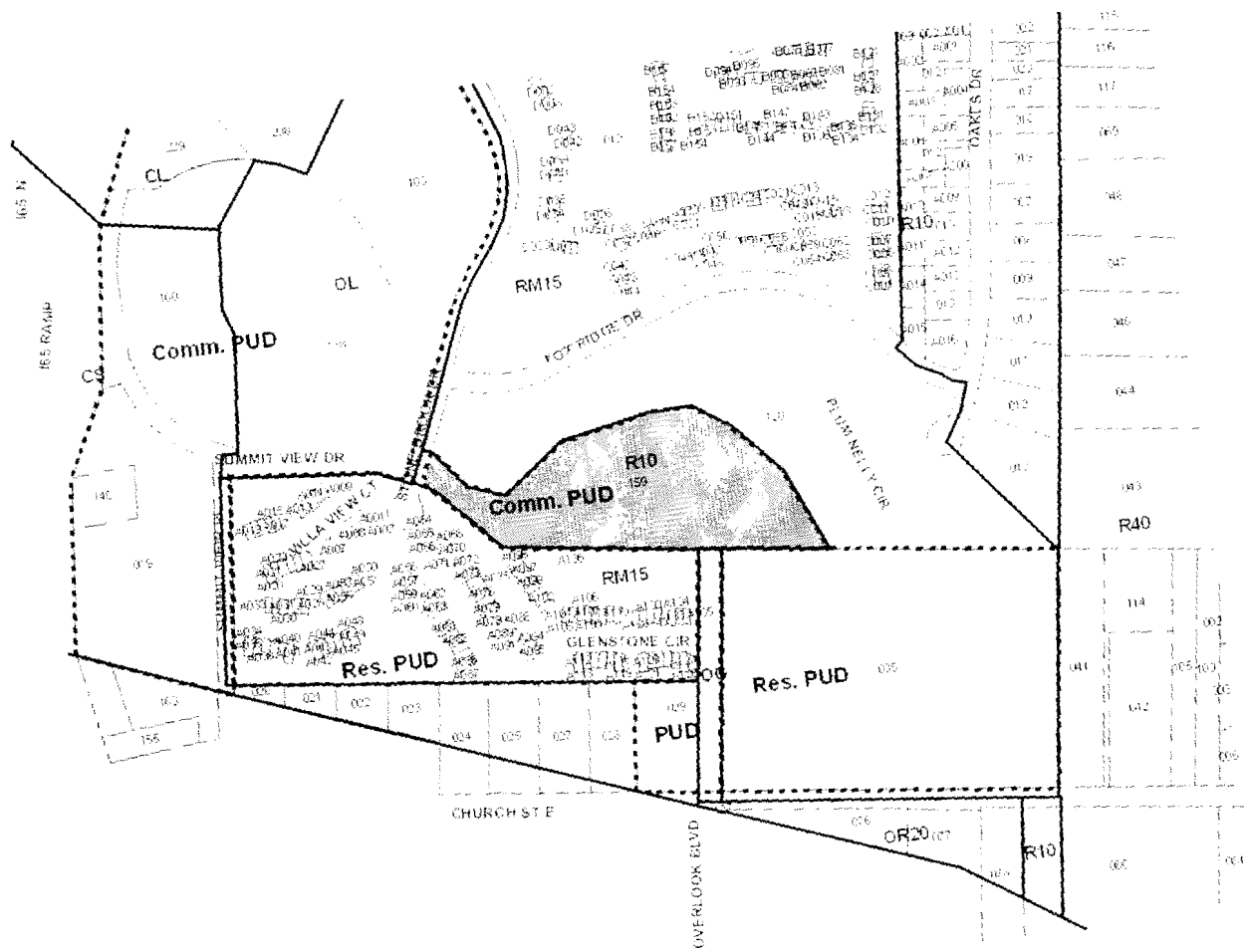


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plan and all related SP documents. If a corrected copy of the SP plan incorporating the conditions therein is not provided to the Planning Department within 120 days of the effective date of the enacting ordinance, then the corrected copy of the SP 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.

8. 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.
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.

SEE NEXT PAGE



2011Z-003PR-001
STONE BROOK DRIVE (UNNUMBERED)
89P-032-001
BRENTWOOD SKYLINE
 Map 171, Parcel(s) 159
 Southeast
 31 - Parker Toler



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**Items #2
a & b**

Project No. Zone Change 2010Z-003PR-001
Project Name Planned Unit Development 89P-032-001
Council District Brentwood Skyline (Amendment #1)
School District 31 – Toler
Requested by 2 – Brannon
Lukens Engineering Consultants, applicant, Mt. View
LLC, owner
Deferral Deferred from the March 10, 2011, March 24, 2011, and
April 14, 2011 Planning Commission meetings
Staff Reviewer Johnson
Staff Recommendation *Disapprove the zone change and PUD amendment. 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.*

APPLICANT REQUEST

Rezone and amend PUD to permit multi-family residential development.

Zone Change

A request to rezone from One and Two Family Residential (R10) to Multi-Family Residential (RM15) district for property located at Stone Brook Drive (unnumbered), approximately 1,750 feet south of Old Hickory Boulevard (6.56 acres).

Amend Preliminary PUD Plan

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 One and Two Family Residential (R10) and proposed for Multi-Family Residential (RM15), to permit 79 multi-family units where a 129,600 square foot office building was previously approved.

Existing Zoning

R10 District

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

Proposed Zoning

RM15 District

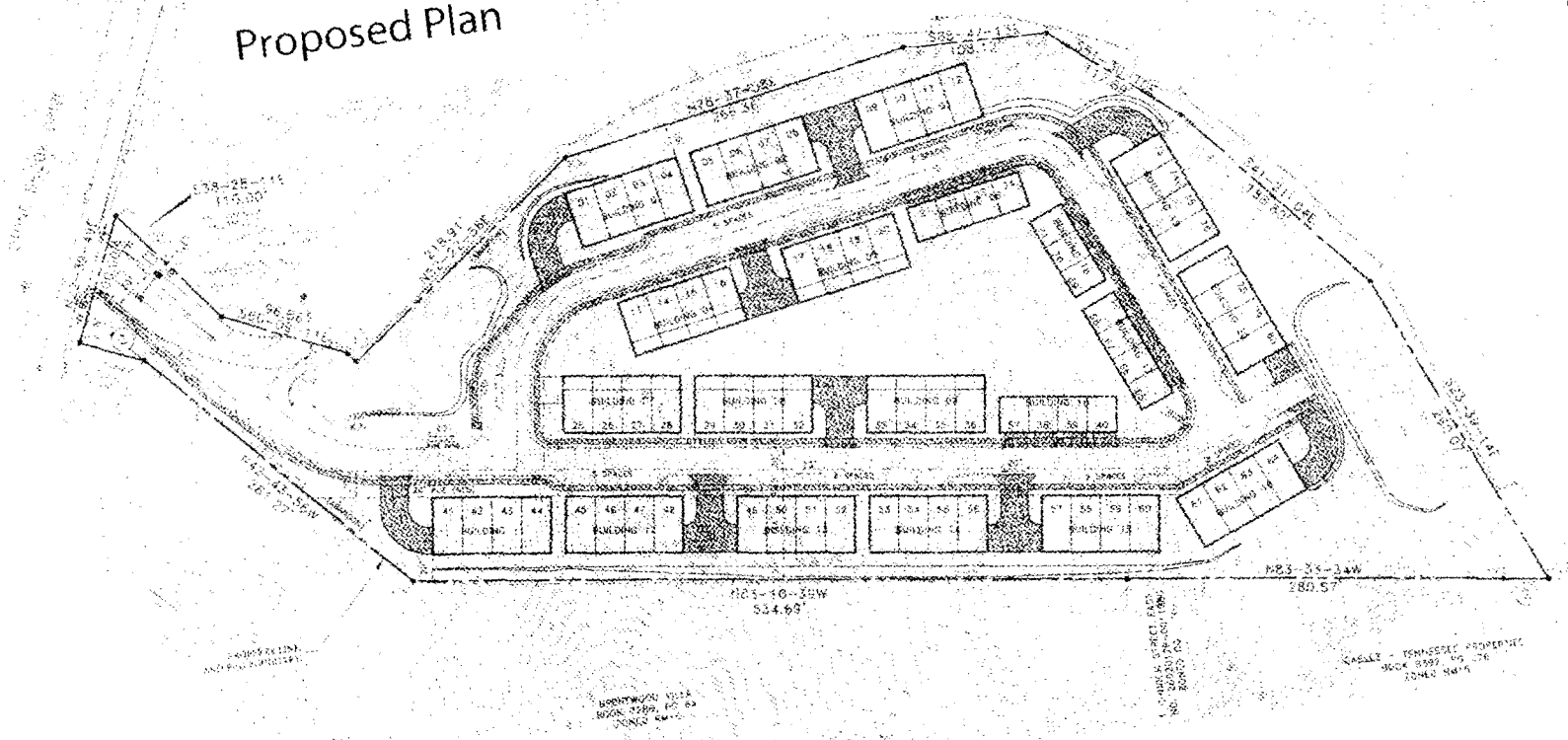
RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre.

CRITICAL PLANNING GOALS

N/A

Proposed Plan

DEPARTMENT OF REVENUE, REVENUE DIVISION
 STATE OF TENNESSEE
 POST OFFICE BOX 619
 NASHVILLE, TENN.



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BOOTHMAN VISTA
 BOOK 2589, PG 63
 000000 0000

L. O. WALKER & SONS, INC.
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WALKER - TENNESSEE DEPARTMENT
 BOOK 2589, PG 63
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SOUTHEAST COMMUNITY PLAN

Residential Medium High (RMH)

RMH policy is intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. A variety of multi-family housing types are appropriate. The most common types include attached townhomes and walk-up apartments.

Areas with Sensitive Environmental Features

The Land Use Policy Application (LUPA), which describes the intent of Nashville's land use policies, includes a section that provides additional guidance for portions of general land use policy areas with sensitive environmental features. The subject site is almost completely covered by steep slopes of 20 percent or greater. Although the general policy for the site is RMH, LUPA recommends "non-structural, low intensity uses and very low density residential uses" in areas with 20 percent or greater slopes. Additionally, "the preservation of steeply sloping areas (20%+) in their natural state is encouraged. Disturbance, modification, and development of these areas should be kept to a minimum."

Consistent with Policy?

No. Although the land use policy is identified as RMH, Nashville's Land Use Policy Application recommends very low density residential uses for areas with steep slopes of 20 percent and greater. Additionally, LUPA encourages the preservation of steeply sloping ground with slopes of greater than 20 percent in its natural state. The proposed multi-family use and zoning are not consistent with the land use policy as described by the LUPA.

ZONE CHANGE

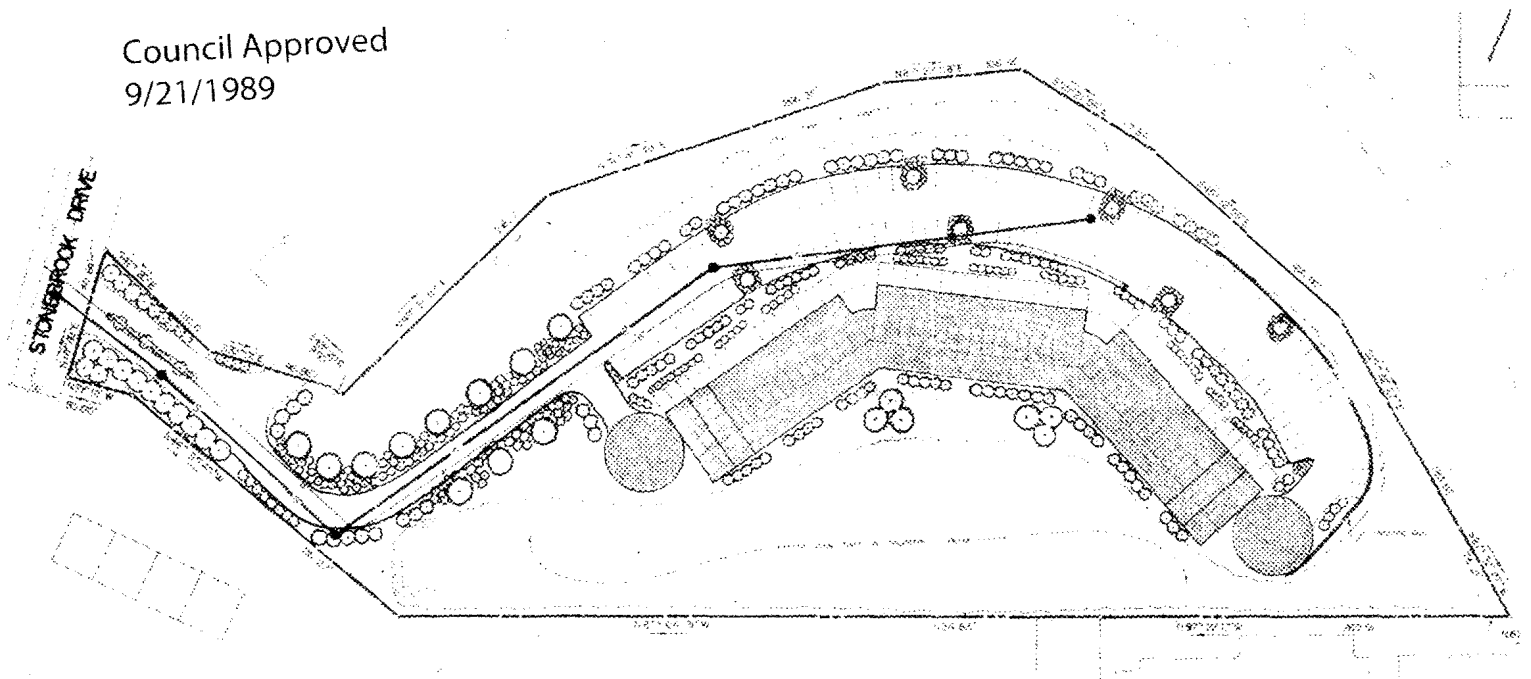
The applicant has requested a zone change from R10 to RM15 for the entire PUD area. As described above, this zone change request is not consistent with land use policy for areas with steeply sloping ground.

PUD AMENDMENT

The original PUD, called the Highlands of Brentwood PUD, was approved by Council in 1989 for a 129,600 square foot office building. The approved plan includes significant grading to the site, which is comprised almost entirely of steeply-sloping hillsides. At the time of the original PUD approval in 1989, the Zoning Code and land use policies did not contain standards or guidance for development on land with steep slopes and problem soils.

The proposed plan amends the PUD to permit a multi-family development consisting of 79 dwelling units. Non-residential uses are no-longer proposed with the

Council Approved
9/21/1989





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amendment. Because the amendment changes the permitted land uses and requires a base zone change, this request requires Council approval. The Planning Commission action will serve as a recommendation to the Metro Council on the zone change and PUD amendment.

The 79 proposed townhouse units are attached in groups of three or four and are arranged around a loop driveway with access to Stone Brook Drive to the west of the site. Parking spaces for each unit are provided underneath each building or as parallel parking spaces on the internal driveway system. Although a layout illustrating the specific placement of all of the parking spaces is not provided, the site data table shows that 187 parking spaces are proposed, which is more than two parking spaces per dwelling unit. A condition of approval (if approved) has been added to require a plan showing the layout of parking spaces and the number of bedrooms in each proposed townhouse prior to final site plan approval.

Hillside Standards

Hillside standards within the Zoning Code include reductions to the permitted Impervious Surface Ratio (ISR) for development on steep slopes. For slopes of greater than 25 percent, which are present for most of the site, the permitted ISR (the percentage of impervious surface), is zero, which essentially precludes development on slopes greater than 25 percent. The existing PUD approval is grandfathered. However, the PUD amendment would be required to meet hillside standards of the Zoning Code and would require a variance to those standards for ISR. Planning staff does not recommend approval of a variance.

Problem Soils

Soils data available to Planning staff from the United States Department of Agriculture (USDA) identify problem soils on the subject site. Specifically, Bodine-Sulphura Complex soil is identified on this site. The USDA identifies this soil as prone to slippage when combined with steep slopes. The applicant has submitted a geotechnical report that includes specific recommendations for development on the subject site. A condition of approval related to the geotechnical study has been added if the PUD amendment is approved.

Six-year PUD Review

Section 17.40.120 H of the Metro Zoning Ordinance authorizes the Planning Commission to review any Planned Unit Development (PUD) overlay district, or portion thereof, to determine whether the PUD is



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“inactive,” and if so, to recommend to the Council what action should be taken with respect to the PUD. The Commission determines whether the PUD is “inactive” by examining whether development activity has occurred within six years from the date of the initial enactment, subsequent amendment, or re-approval by the Metro Council. If the Planning Commission determines the PUD to be inactive, the Commission is required to recommend legislation to the Council to re-approve, amend, or cancel the PUD.

If the Metro Council does not approve the PUD amendment in the current Council term, then the Planning Commission or Council could direct staff to initiate the six-year review as outlined above. Because standards and special criteria have been added to the Zoning Code and Community Plan policies since the PUD was originally adopted in 1989, staff recommends the initiation of the six-year PUD review to align the zoning of the subject site with the current hillside standards. Staff also recommends direction from the Commission to initiate a policy change to align the policy with an appropriate zoning district.

FIRE MARSHAL RECOMMENDATION

Approved

- D103.2 Grade.
Fire apparatus access roads shall not exceed 10 percent in grade.
- Fire-flow shall meet the requirements of the International Fire Code - 2006 edition - B105.1. {2006 IFC B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 m²) shall be 1,000 gallons per minute (3785.4 L/min) for a duration of 2 hours.}

NES RECOMMENDATION

- 20 foot public utility easement required for NES and other communication conduits. 30 foot public utility easement required for the NES overhead lines.
- NES riser pole location to be determined.
- Transformer knuckle easement required - must be 25 feet wide by 20 foot deep for pads sized under 75kVA. If transformer is larger than 75kVA than knuckle must be 44 foot wide by 30 foot deep. Fire barrier wall is on



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page 96 of the NES service customer guidelines manual.

- NES can meet with developer/engineer upon request to determine electrical service options.
- NES needs any drawings that will cover any road improvements to Metro r-o-w that Public Works will require.
- NES follows the National Fire Protection Association rules; Refer to NFPA 70 article 450-27; and NESC Section 15 - 152.A.2 for complete rules (see NES Construction Guidelines under "Builders and Contractors" tab @ www.nespower.com).
- If porches are allowed to be constructed beyond the minimum setback limits and into the public utility easements; then the easement will be considered reduced by that much of the easement. Such encroachments may increase the cost of electrical infrastructure to allow for reduced or limited access to equipment. *NES reserves the right to enter and to erect, maintain, repair, rebuild, operate and patrol electric power overhead and underground conductors and communications circuits with all necessary equipment reasonably incident thereto including the right to clear said easement and keep the same clear of brush, timber, inflammable structures, buildings, permanent structures, and fire hazards; all over, under, upon, and across the easement as granted on any plats.*

STORMWATER RECOMMENDATION

Preliminary PUD approved

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.
- Provide a count of garage parking spaces and on-street spaces.
- Maximum street grades shall not exceed 10% unless otherwise approved by the Fire Department, and in no case greater than 15%, and have a maximum 3% landing for a minimum of 50 feet.
- Provide a geotechnical study prior to final design to determine the presence of colluvial soils and any necessary mitigations.



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- Demonstrate that there is adequate clearance for a passenger vehicle to navigate the extreme grade change from the street to a 20% driveway slope to a garage, or, state on the plans that a maximum driveway grade of 10% shall be used.
- Sidewalks if required must be installed along with a two foot grass strip. The separation between the sidewalk and the garages must be either 5 feet or less, OR 20 feet or more.
- Solid waste pickup will require dumpsters. Show space for four dumpsters plus one recycling dumpster or one 10 cy compactor plus recycler. An alternative plan acceptable to Public Works may be approved.
- An access study is required prior to development. Identify joint access driveway on plan. If gated access is proposed show appropriate access design.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	6.56	4.63 D	1 U	10	1	2

Typical Uses in Proposed Zoning District: RM15

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)	6.56	-	86 U*	645	46	65

*Number of units based on PUD plan (89P-032-001)

Traffic changes between typical: R10 and proposed RM15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+635	+45	+63

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Residential (210)	6.56	1 U	30 U	288	23	31

Maximum Uses in Proposed Zoning District: RM15

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)	6.56	4.63 D	86 U*	645	46	65

*Number of units based on PUD plan (89P-032-001)



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Traffic changes between maximum: R10 and proposed RM15

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	-	-	-	+357	+23	+34

METRO SCHOOL BOARD REPORT

Projected student generation 4 Elementary 2 Middle 2 High

Schools Over/Under Capacity

Students would attend Granbery Elementary School, Oliver Middle School, and Overton High School. All three schools are identified as being over capacity. There is no capacity within the cluster for additional middle school students. There is capacity in an adjacent cluster for high school students. This information is based upon data from the school board last updated October 2010.

Fiscal Liability

The fiscal liability of 4 new elementary school students is \$80,000 (10 X \$20,000 per student). The fiscal liability for 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 disapproval of the PUD amendment and associated zone change request. The proposed multi-family development is not consistent with land use policy as it applies to areas with steep slopes.

Staff also recommends direction from the Commission to initiate the six-year review process and a policy change to align existing zoning and policy with the site's environmental conditions if the PUD is not amended by the Metro Council during the current Council term.

SEE NEXT PAGE

RECOMMENDATIONS TO THE METRO COUNCIL

- **Text Amendment**
- **Specific Plan**
- **Zone Change**
- **PUD (Amend)**

NO SKETCH



Project No.
Project Name
Council District
School District
Requested by

Text Amendment 2011Z-009TX-001
Landmark Signs
Countywide
Countywide
Metro Planning Department

Staff Reviewer
Staff Recommendation

Priest
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



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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



Metro Planning Commission Meeting of 05/12/2011

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.



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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 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.



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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.



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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



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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.



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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.

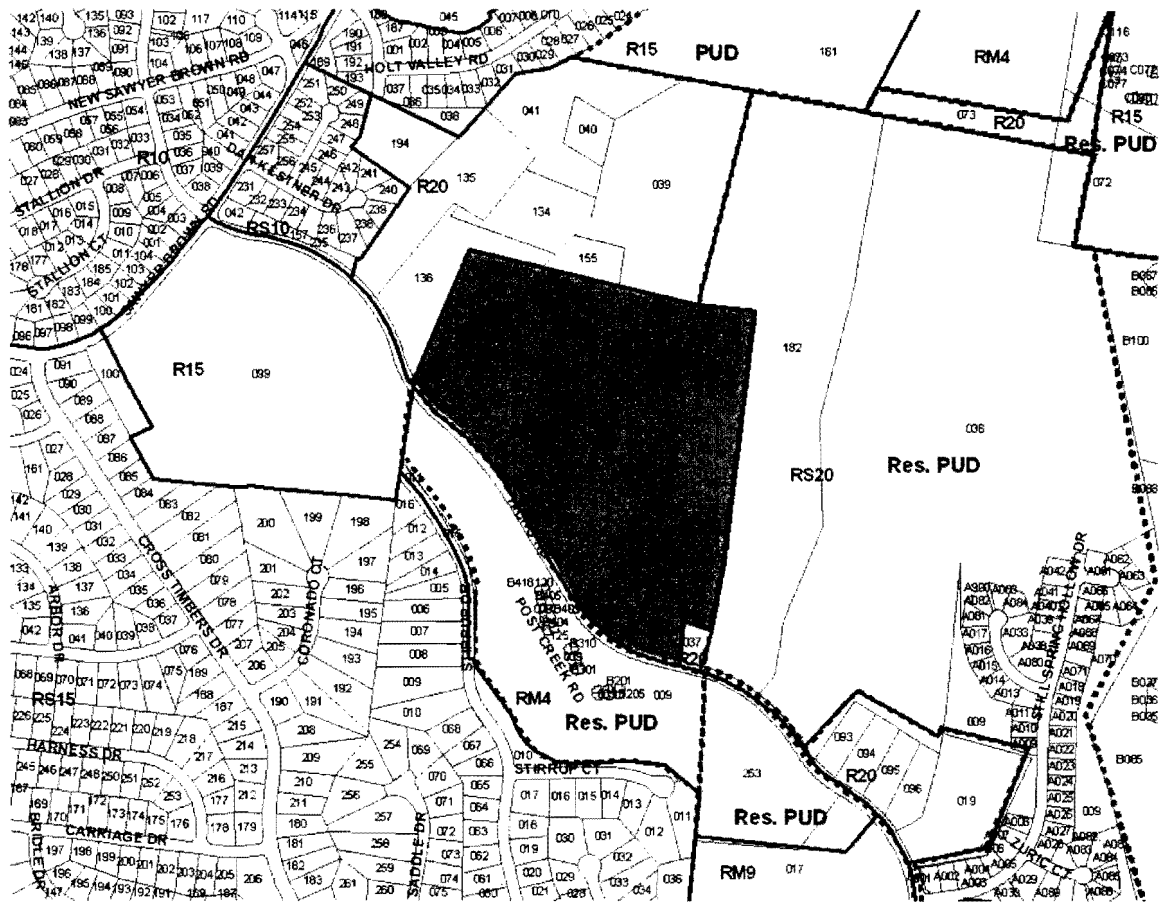
And by adding the following new Section 17.40.170.B.6:

- 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

SEE NEXT PAGE



2007SP-081-001
MT LAUREL RESERVE (AMENDMENT # 2)
 Map 128, Parcel(s) 038
 Bellevue
 22 - Eric Crafton



Project No.	Zone Change 2007SP-081-001
Project Name	Mt. Laurel Reserve SP (Amendment #2)
Council District	22 – Crafton
School District	9 – Simmons
Requested By	Dale & Associates, applicant, for Hicks Road Development LLC, owner
Staff Reviewer	Swaggart
Staff Recommendation	<i>Disapprove</i>

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

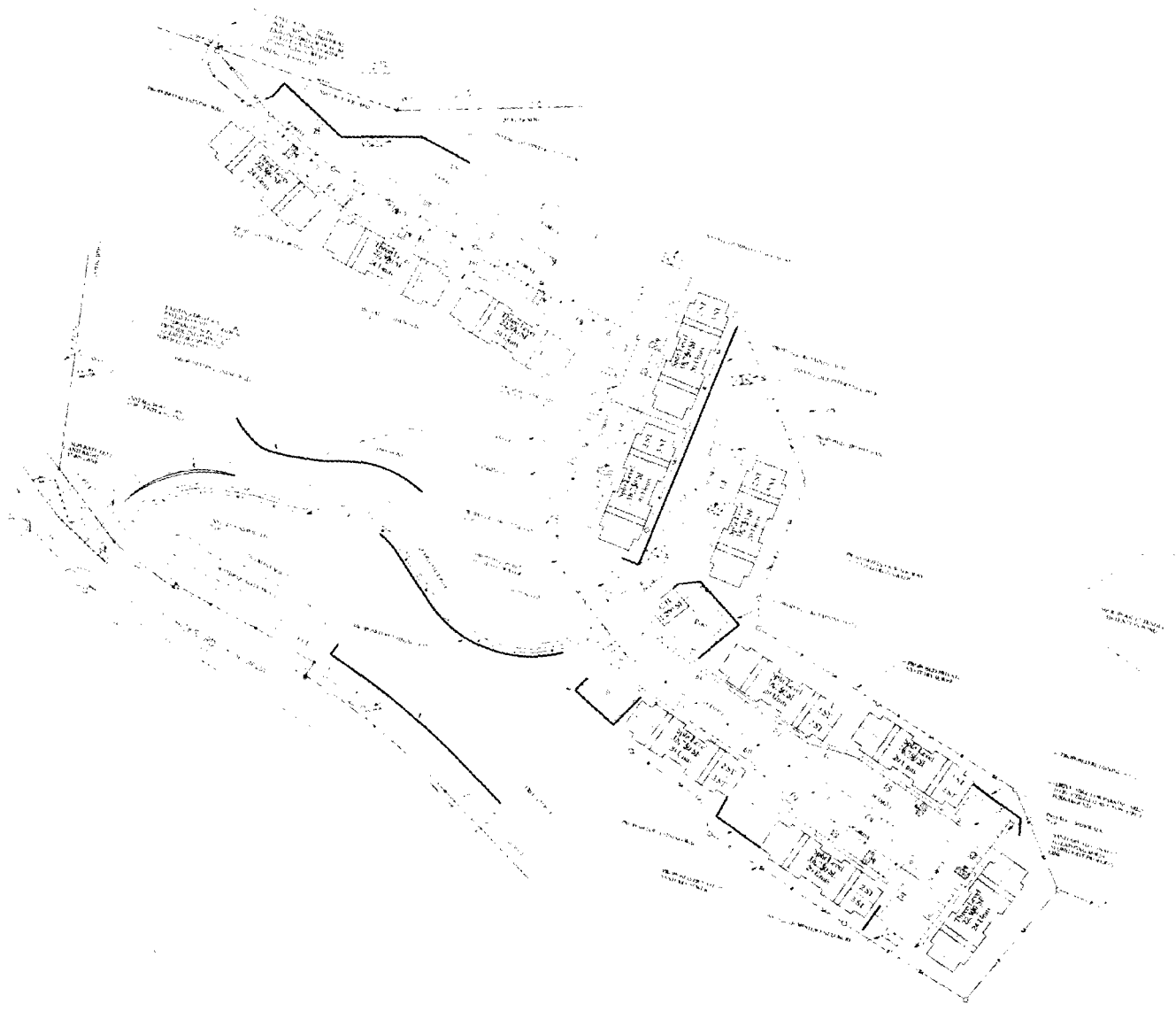
BELLEVUE COMMUNITY PLAN

**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.





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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).

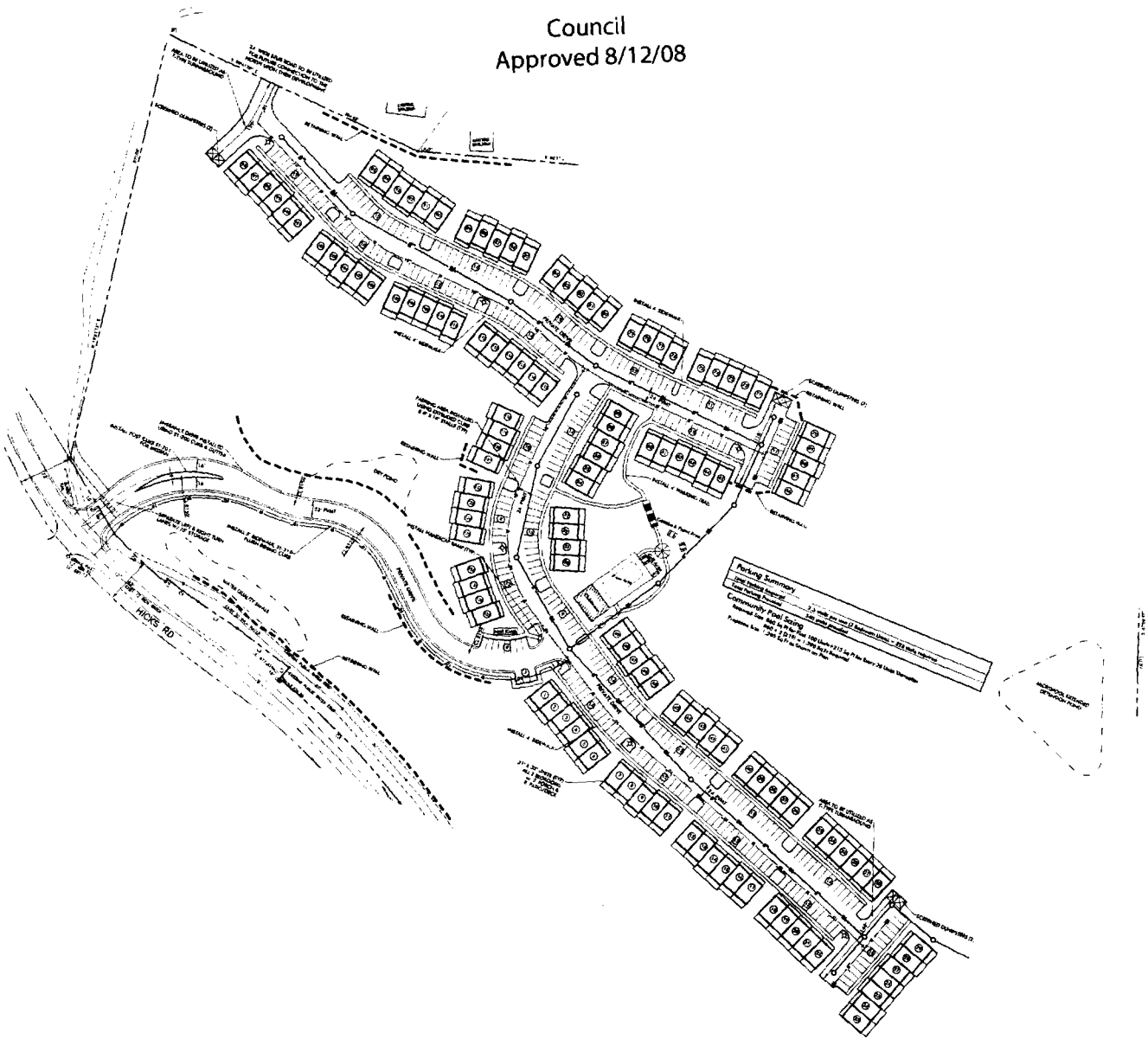
Site Conditions

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.

Council
Approved 8/12/08





Metro Planning Commission Meeting of 05/12/2011

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



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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.



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CONDITIONS (if approved)

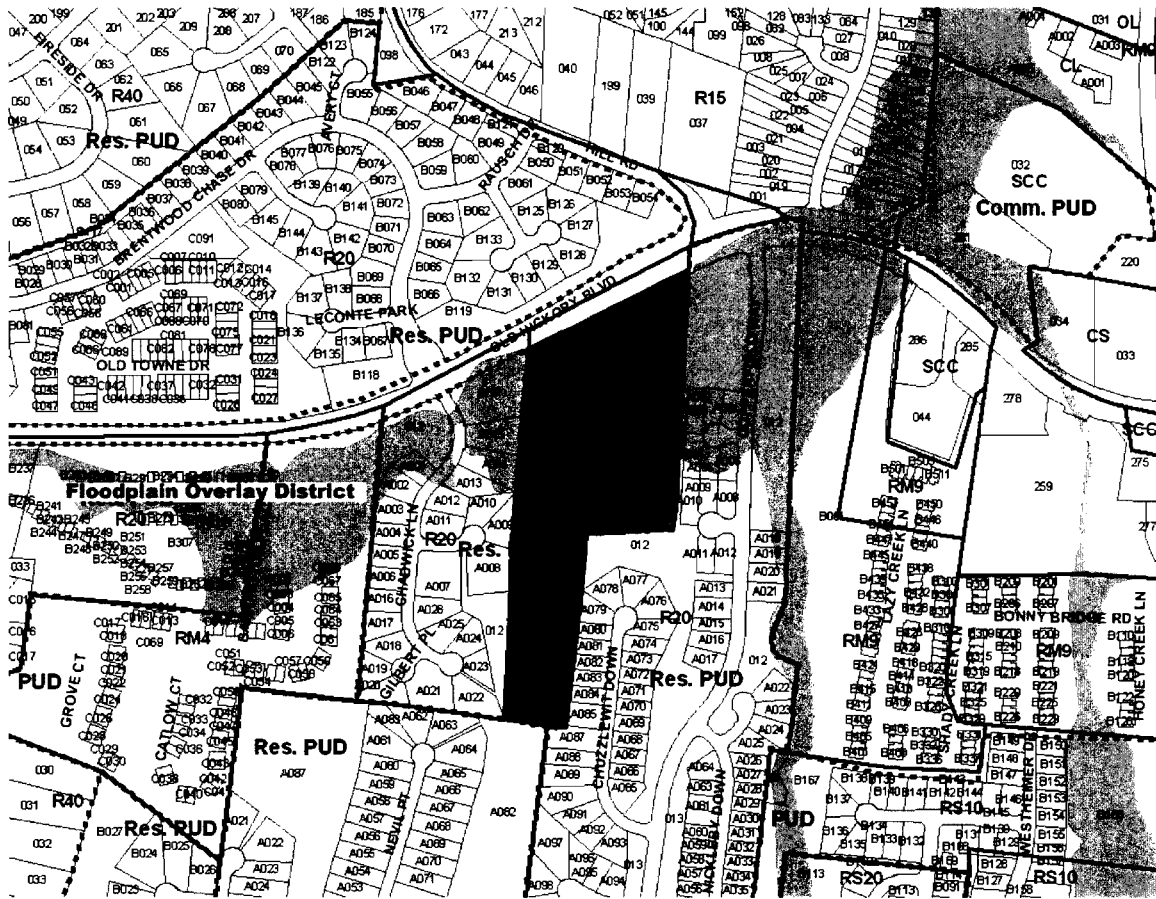
1. Permitted uses in this SP include Multi-Family Residential.
2. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements 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.



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5. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

SEE NEXT PAGE



2011SP-010-001
HEARTH AT BRENTWOOD
 Map 160, Parcel(s) 106, 108
 Map 161, Parcel(s) 042
 Map 171, Parcel(s) 168
 Southeast
 31 - Parker Toler



Project No. Zone Change 2011SP-010-001
Project Name Hearth at Brentwood
Council District 31 – Toler
School District 2 – Brannon
Requested by Ragan-Smith-Associates Inc, applicant, Roy S. Jones, Trustee and Pamela T. Himebaugh, owners

Staff Reviewer Johnson
Staff Recommendation Approve with conditions

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).

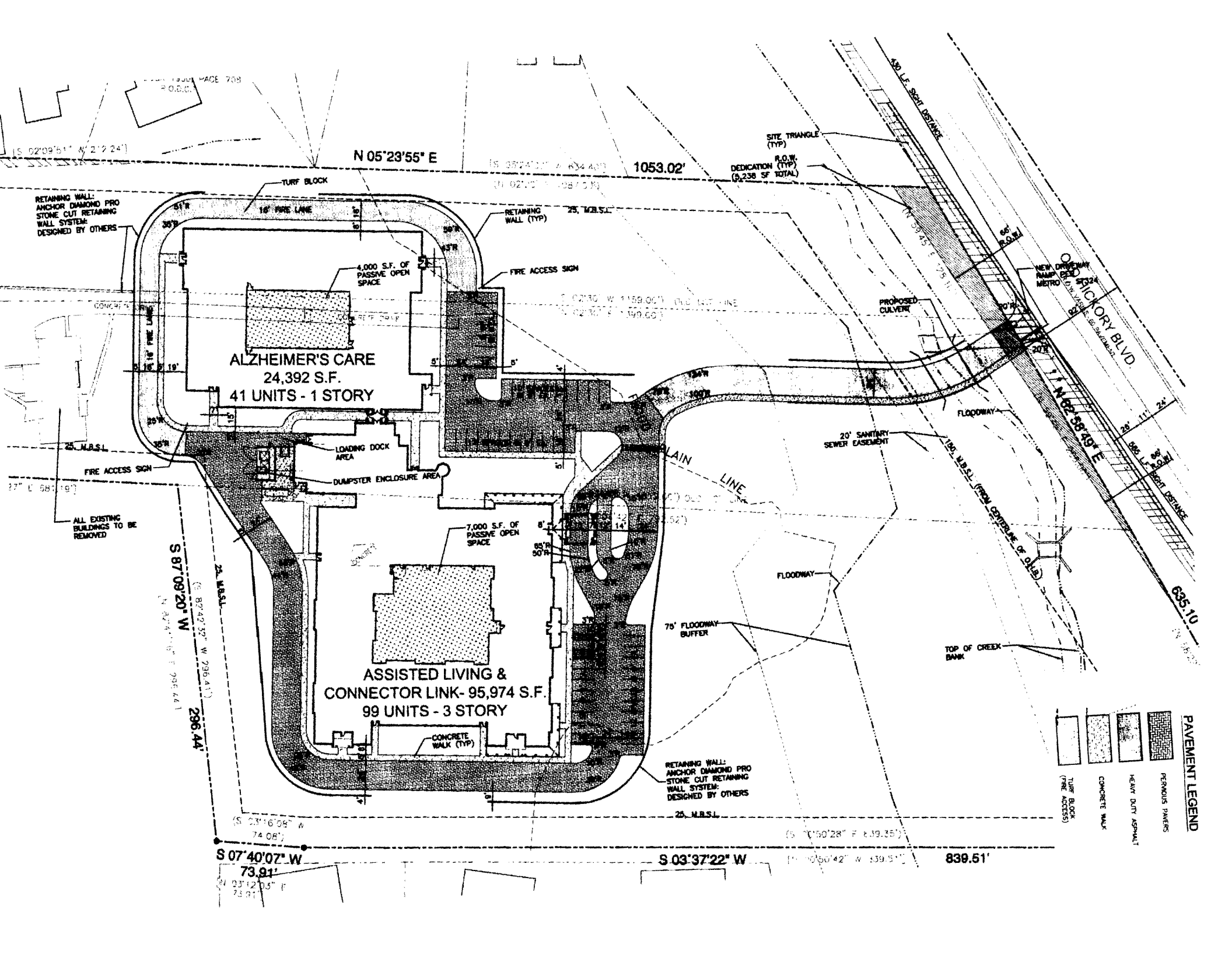
CRITICAL PLANNING GOALS N/A

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,



ALZHEIMER'S CARE
 24,392 S.F.
 41 UNITS - 1 STORY

**ASSISTED LIVING &
 CONNECTOR LINK- 95,974 S.F.**
 99 UNITS - 3 STORY

PAVEMENT LEGEND

[Pattern: Stippled]	PERVIOUS PAVEMENT
[Pattern: Horizontal Lines]	HEAVY DUTY ASPHALT
[Pattern: Vertical Lines]	CONCRETE WALK
[Pattern: Dotted]	TURF BLOCK (FIRE ACCESS)

RETAINING WALL:
 ANCHOR DIAMOND PRO
 STONE CUT RETAINING
 WALL SYSTEM:
 DESIGNED BY OTHERS

RETAINING WALL:
 ANCHOR DIAMOND PRO
 STONE CUT RETAINING
 WALL SYSTEM:
 DESIGNED BY OTHERS

ALL EXISTING
 BUILDINGS TO BE
 REMOVED

20' SANITARY
 SEWER EASEMENT

TOP OF CREEK
 BANK

S 07°40'07" W
 73.91'

S 03°37'22" W

839.51'

N 05°23'55" E

1053.02'

S 87°09'20" W
 296.44'

635.10'

OLD RICKORY BLVD.
 (D.D. 10/10/1988)

330' L.F. SOFT DISTANCE

SITE TRIANGLE
 (TYP)
 R.O.W.
 DEDICATION (TYP)
 (9,238 SF TOTAL)

PROPOSED
 CULVERT

FLOODWAY

FLOODWAY

75' FLOODWAY
 BUFFER

7,000 S.F. OF
 PASSIVE OPEN
 SPACE

4,000 S.F. OF
 PASSIVE OPEN
 SPACE

TURF BLOCK

18' FIRE LANE

RETAINING
 WALL (TYP)

FIRE ACCESS SIGN

LOADING DOCK
 AREA

DUMPSTER ENCLOSURE
 AREA

CONCRETE
 WALK (TYP)

RAIN
 LINE

1/2" M.B.S.L. FROM CENTERLINE OF ROAD

FLOODWAY

FLOODWAY

FLOODWAY

FLOODWAY

FLOODWAY

FLOODWAY

FLOODWAY

FLOODWAY

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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.

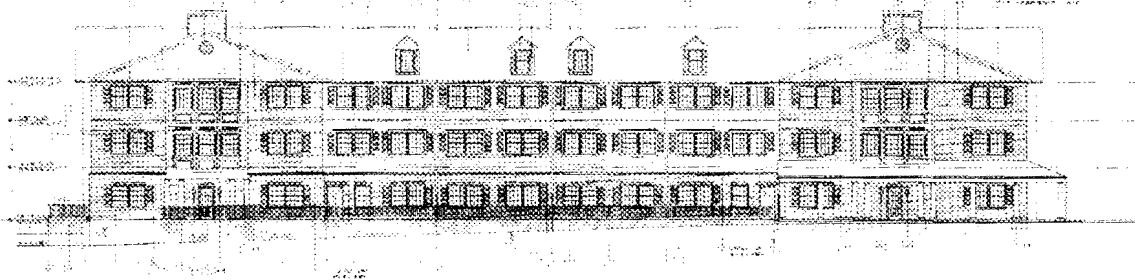
Two separate land uses are proposed within the SP. A three-story assisted-living facility would occupy the east side of the SP area and a one-story nursing home facility (intended for Alzheimer's care) would occupy the west side of the SP. The two facilities are grouped together surrounding a shared 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.

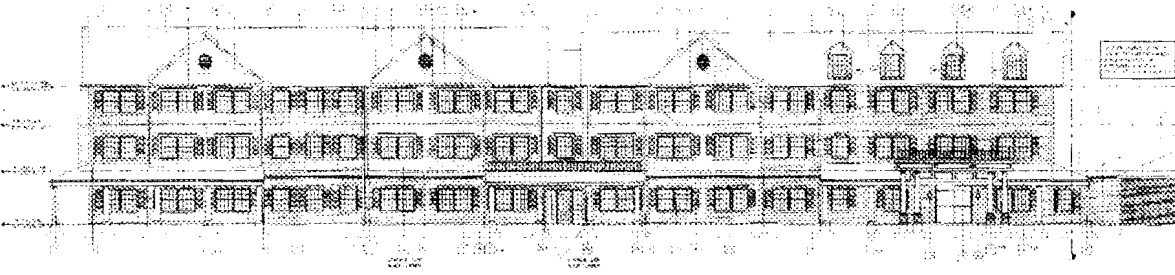
The proposal meets applicable development standards of the Zoning Code. Parking requirements are met through surface parking. At a maximum of three stories in height, the proposal falls within the permitted maximum height. Landscape buffers are provided along property lines that are shared with residential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

Density

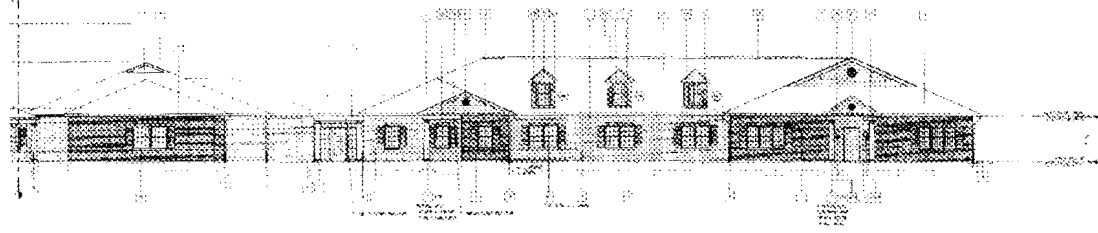
For assisted-living facilities, the Zoning Code specifies that for purposes of density every three rooming units counts as one dwelling unit. Nursing home facilities are counted separately for floor area only, but not for density. With 109 beds, the assisted-living facility would be considered to have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



M1 ASSISTED LIVING EAST ELEVATION



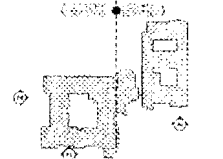
F1 ASSISTED LIVING NORTH ELEVATION



A1 ALZHEIMER'S NORTH ELEVATION


ELEVATION KEYED NOTES

- 1. SEE PLAN FOR LOCATION
- 2. SEE ARCHITECTURAL SYMBOLS FOR MATERIALS
- 3. SEE ARCHITECTURAL SYMBOLS FOR FINISHES
- 4. SEE ARCHITECTURAL SYMBOLS FOR COLORS
- 5. SEE ARCHITECTURAL SYMBOLS FOR LIGHTING
- 6. SEE ARCHITECTURAL SYMBOLS FOR GLAZING
- 7. SEE ARCHITECTURAL SYMBOLS FOR ROOFING
- 8. SEE ARCHITECTURAL SYMBOLS FOR SITES
- 9. SEE ARCHITECTURAL SYMBOLS FOR WALLS
- 10. SEE ARCHITECTURAL SYMBOLS FOR FLOORS
- 11. SEE ARCHITECTURAL SYMBOLS FOR CEILING
- 12. SEE ARCHITECTURAL SYMBOLS FOR MECHANICAL
- 13. SEE ARCHITECTURAL SYMBOLS FOR ELECTRICAL
- 14. SEE ARCHITECTURAL SYMBOLS FOR PLUMBING
- 15. SEE ARCHITECTURAL SYMBOLS FOR PAINT
- 16. SEE ARCHITECTURAL SYMBOLS FOR STAIN
- 17. SEE ARCHITECTURAL SYMBOLS FOR GLASS
- 18. SEE ARCHITECTURAL SYMBOLS FOR METAL
- 19. SEE ARCHITECTURAL SYMBOLS FOR WOOD
- 20. SEE ARCHITECTURAL SYMBOLS FOR CONCRETE
- 21. SEE ARCHITECTURAL SYMBOLS FOR BRICK
- 22. SEE ARCHITECTURAL SYMBOLS FOR TILE
- 23. SEE ARCHITECTURAL SYMBOLS FOR CARPET
- 24. SEE ARCHITECTURAL SYMBOLS FOR LINOLEUM
- 25. SEE ARCHITECTURAL SYMBOLS FOR MARBLE
- 26. SEE ARCHITECTURAL SYMBOLS FOR GRANITE
- 27. SEE ARCHITECTURAL SYMBOLS FOR SLATE
- 28. SEE ARCHITECTURAL SYMBOLS FOR GYPSONUM BOARD
- 29. SEE ARCHITECTURAL SYMBOLS FOR INSULATION
- 30. SEE ARCHITECTURAL SYMBOLS FOR VENTILATION
- 31. SEE ARCHITECTURAL SYMBOLS FOR EXHAUST
- 32. SEE ARCHITECTURAL SYMBOLS FOR INTAKE
- 33. SEE ARCHITECTURAL SYMBOLS FOR CONDENSATION
- 34. SEE ARCHITECTURAL SYMBOLS FOR RADIANT HEATING
- 35. SEE ARCHITECTURAL SYMBOLS FOR FLOOR COOLING
- 36. SEE ARCHITECTURAL SYMBOLS FOR WALL COOLING
- 37. SEE ARCHITECTURAL SYMBOLS FOR CEILING COOLING
- 38. SEE ARCHITECTURAL SYMBOLS FOR WINDOW COOLING
- 39. SEE ARCHITECTURAL SYMBOLS FOR DOOR COOLING
- 40. SEE ARCHITECTURAL SYMBOLS FOR ROOF COOLING
- 41. SEE ARCHITECTURAL SYMBOLS FOR EXTERIOR LIGHTING
- 42. SEE ARCHITECTURAL SYMBOLS FOR INTERIOR LIGHTING
- 43. SEE ARCHITECTURAL SYMBOLS FOR NATURAL LIGHTING
- 44. SEE ARCHITECTURAL SYMBOLS FOR ART LIGHTING
- 45. SEE ARCHITECTURAL SYMBOLS FOR SOUND
- 46. SEE ARCHITECTURAL SYMBOLS FOR VIBRATION
- 47. SEE ARCHITECTURAL SYMBOLS FOR AIR QUALITY
- 48. SEE ARCHITECTURAL SYMBOLS FOR HUMIDITY
- 49. SEE ARCHITECTURAL SYMBOLS FOR TEMPERATURE
- 50. SEE ARCHITECTURAL SYMBOLS FOR ENERGY EFFICIENCY



KEY PLAN

HEARTH AT BRENTWOOD


 LEGG & COMPANY, INC.
 ARCHITECTS
 11111 RIVERCHASE DRIVE, SUITE 100
 HOUSTON, TEXAS 77036
 TEL: 281.416.1111
 FAX: 281.416.1112
 WWW.LEGG.COM

NO.	DATE	DESCRIPTION

ESTIMATED ELEVATIONS
 DATE: 10/15/11
 DRAWN BY: J. SMITH
 CHECKED BY: M. SMITH
 PROJECT NO.: 11111



Metro Planning Commission Meeting of 05/12/2011

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.

**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



Metro Planning Commission Meeting of 05/12/2011

STAFF RECOMMENDATION

Staff recommends approval with conditions of the SP request. The proposed assisted-living and nursing facilities are permitted within residential zoning districts and are proposed at densities consistent with the current land use policy.

CONDITIONS

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,



Metro Planning Commission Meeting of 05/12/2011

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.



2011SP-012-001
NOLENSVILLE PIKE CAR WASH
 Map 161, Parcel(s) 306
 Southeast
 31 - Parker Toler



Project No. Zone Change 2011SP-012-001
Project Name Nolensville Pike Car Wash
Council District 31 – Toler
School District 2 – Brannon
Requested by Barge Cauthen & Associates Inc., applicant, Glory Teller Office LLC, owners

Staff Reviewer Sexton
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.**

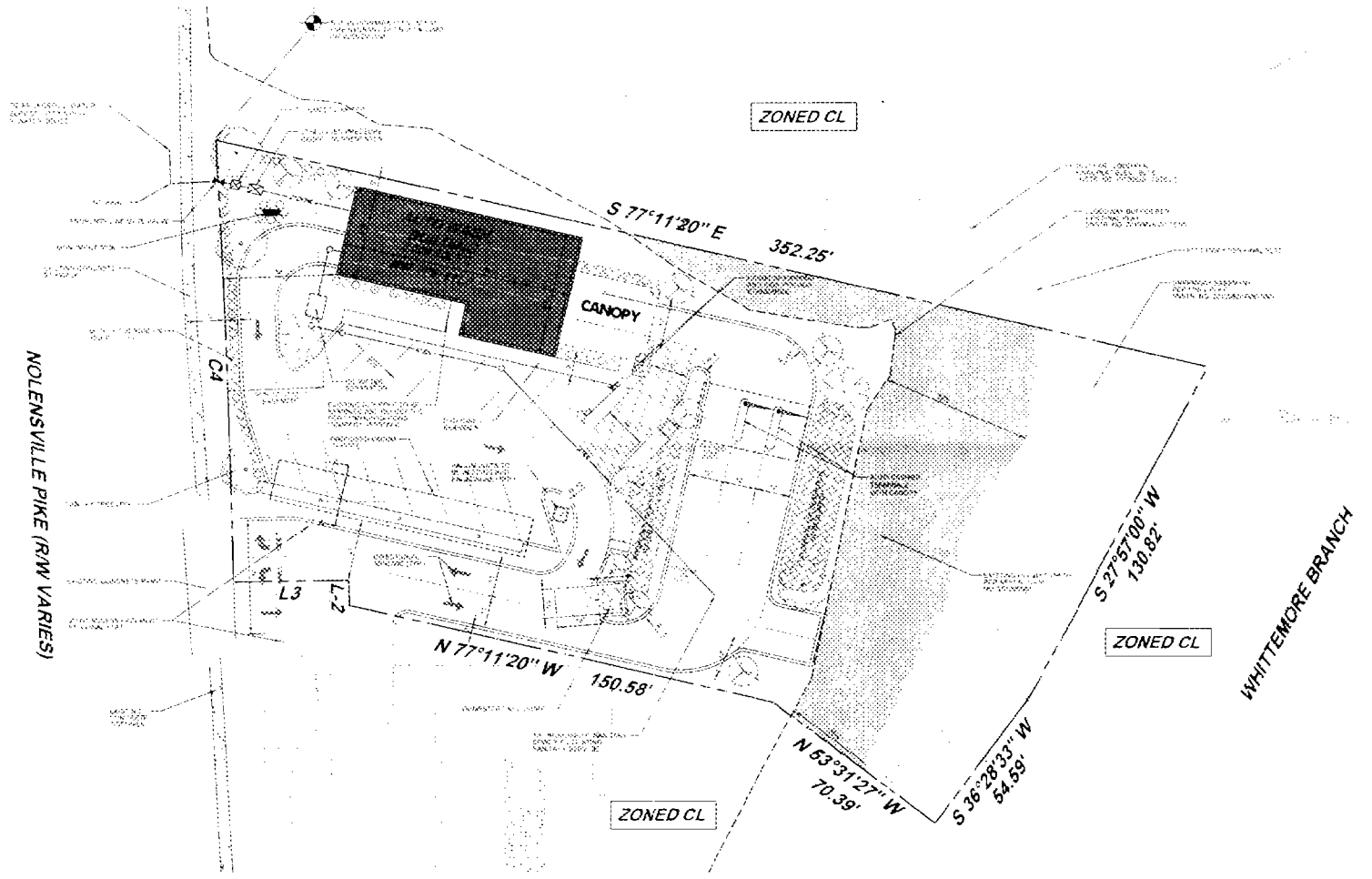
Proposed Zoning

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





Metro Planning Commission Meeting of 05/12/2011

SOUTHEAST COMMUNITY 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



Metro Planning Commission Meeting of 05/12/2011

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



Metro Planning Commission Meeting of 05/12/2011

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,



Metro Planning Commission Meeting of 05/12/2011

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.

SEE NEXT PAGE



2011Z-012PR-001
 28TH AVENUE NORTH (UNNUMBERED)
 Map 092-10, Parcel(s) 270
 Green Hills - Midtown
 21 - Edith Taylor Langster



Project No.
Council District
School District
Requested by

Zone Change 2011Z-012PR-001
21 – Langster
7 – Kindall
Pearl Street Partners LLC, applicant for Ashley-Tompkins
Real Estate Partnership, owners

Staff Reviewer
Staff Recommendation

Sexton
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



Metro Planning Commission Meeting of 05/12/2011

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



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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

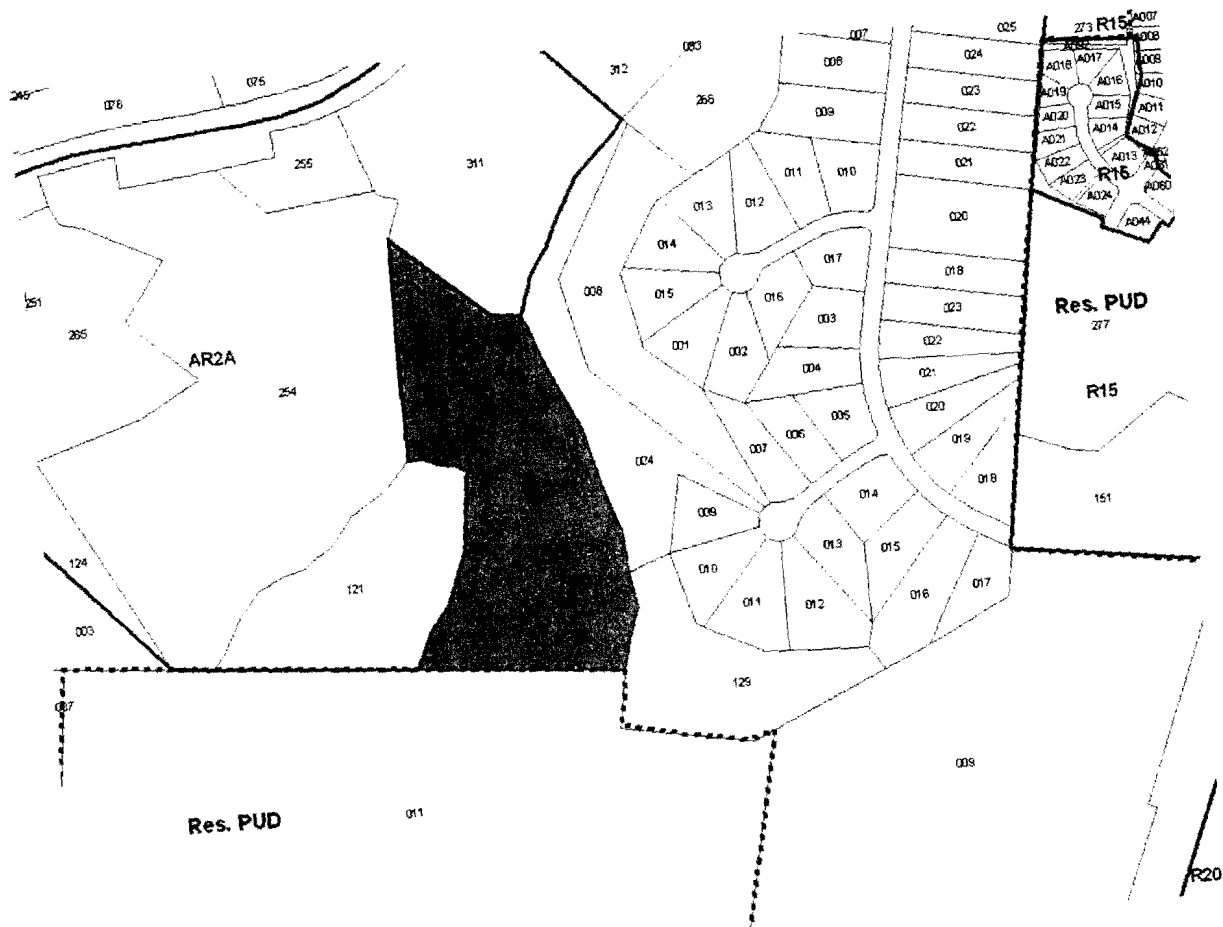
Students would attend Park Avenue Elementary School, Bass Middle School, and Pearl Cohn High School. Bass Middle School is identified as being over capacity. There is capacity within the cluster for additional middle school students. This information is based upon data from the school board last updated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



2011Z-013PR-001
7791 CHARLOTTE PIKE
Map 128, Parcel(s) 122
Bellevue
22 - Eric Crafton



Project No.	Zone Change 2011Z-013PR-001
Council District	22 – Crafton
School District	9 – Simmons
Requested by	David Lowry, applicant, Donald D. Henry Sr., owner
Staff Reviewer	Johnson
Staff Recommendation	<i>Approve</i>

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.



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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.

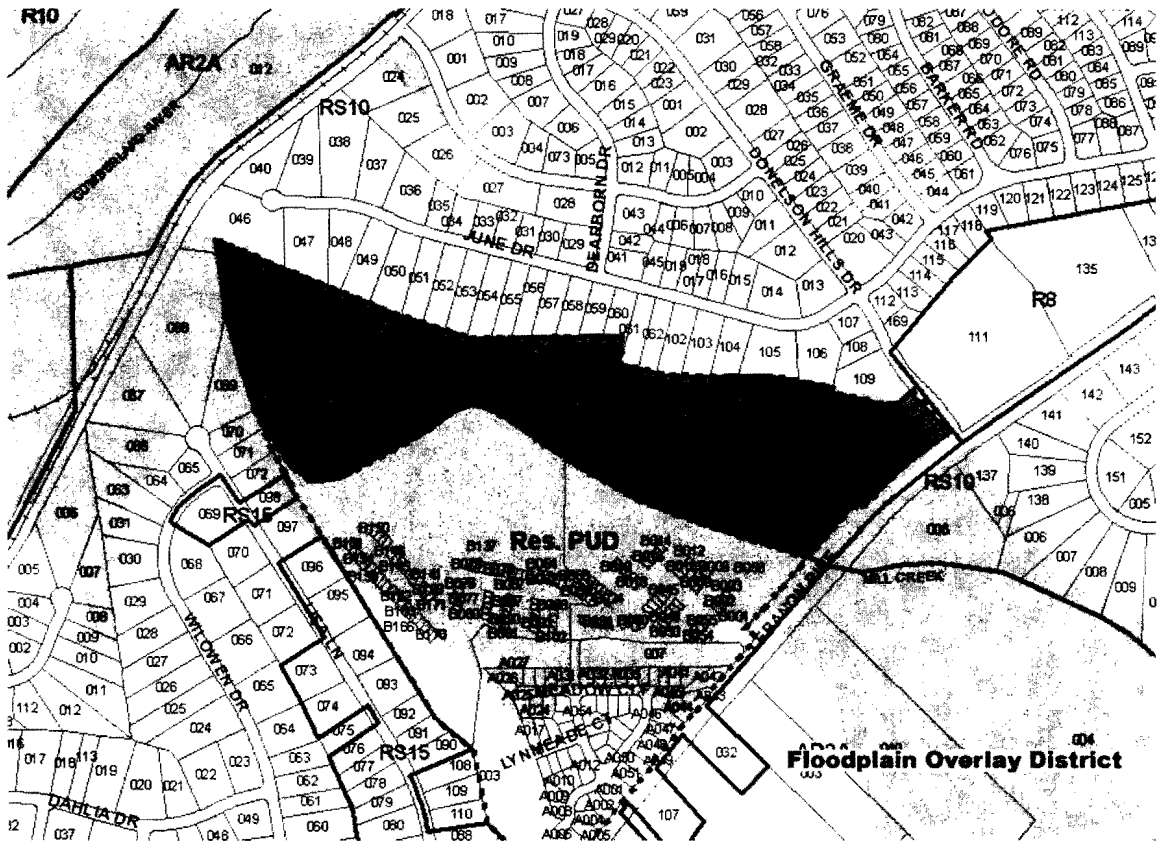
METRO SCHOOL BOARD REPORT

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.

SEE NEXT PAGE



2003P-007-002

THE VILLAGES OF DONELSON HILLS (FORMERLY CUMBERLAND YACHT HARBOR)

Map 095-02, Parcel(s) 110, 173

Donelson - Hermitage

15 - Phil Claiborne



Project No.
Project Name

Planned Unit Development 2003P-007-002
The Villages of Donelson Hills (Formerly
Cumberland Yacht Harbor)

Council District
School Board District
Requested By

15 - Claiborne
4 – Shepherd
Dale and Associates, applicants for Thomas W. Beasley
and Brett Alan Wesnofske, owners

Staff Reviewer
Staff Recommendation

Swaggart
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.

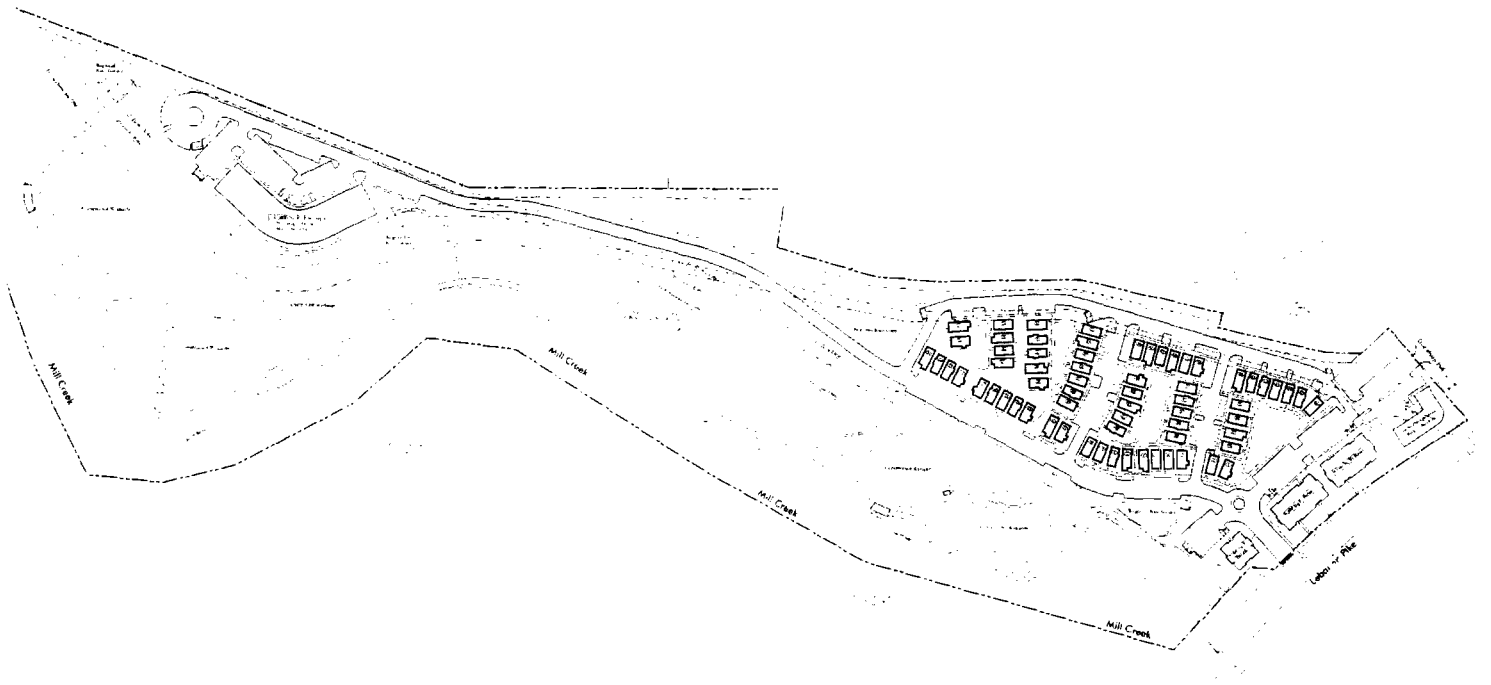
FO District

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

Proposed





Metro Planning Commission Meeting of 05/12/2011

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?

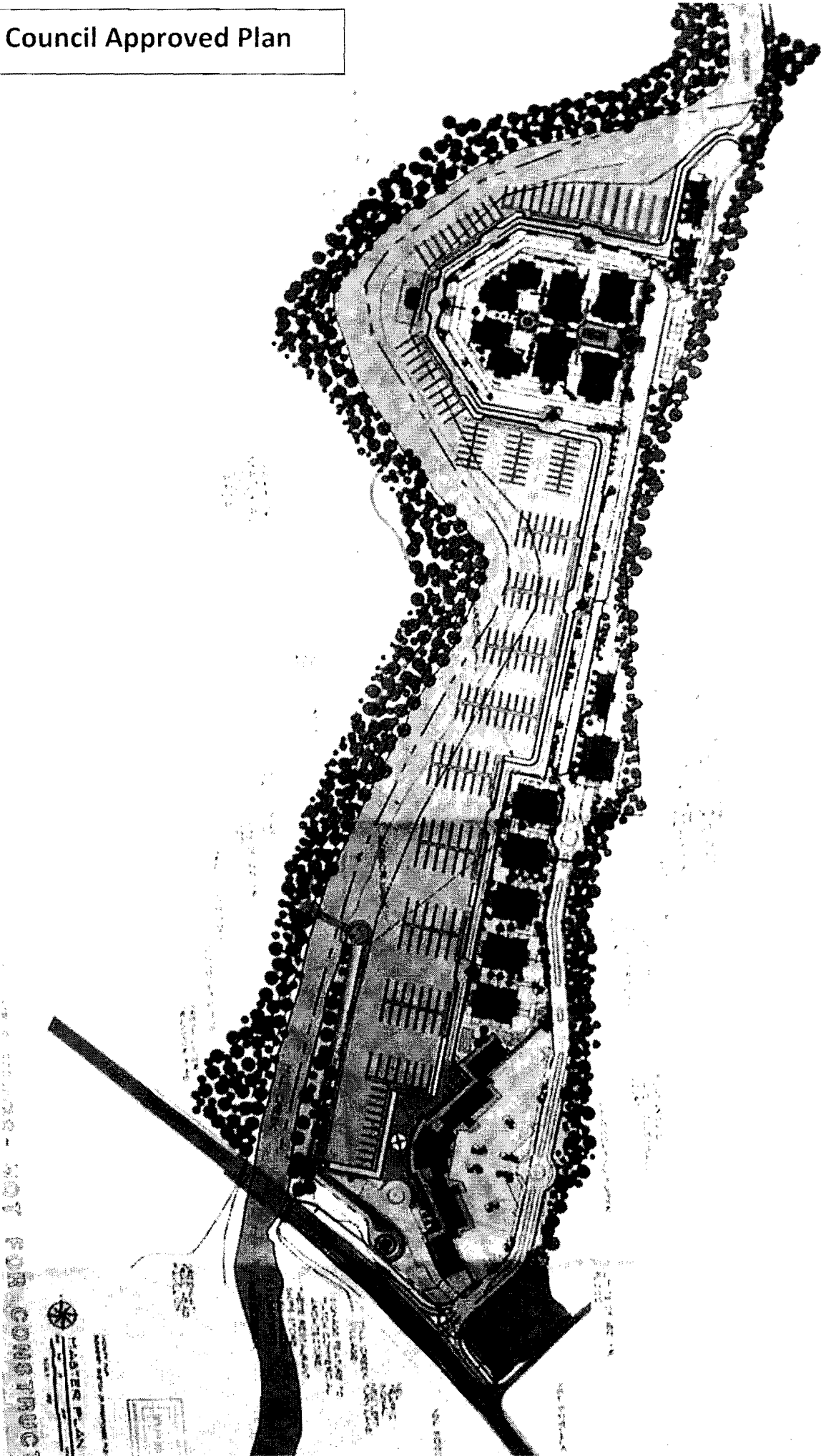
Yes. As proposed, the plan is mostly consistent with the land use policies on the property. The area proposed for residential and commercial uses is within a mixed-use policy and is currently zoned for mixed-use. The areas within Natural Conservation reflect Mill Creek and its floodway. The plan does 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

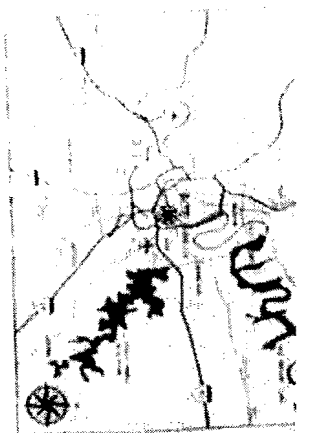
History

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.

Council Approved Plan



NOT FOR CONSTRUCTION





Metro Planning Commission Meeting of 05/12/2011

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.



Metro Planning Commission Meeting of 05/12/2011

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



Metro Planning Commission Meeting of 05/12/2011

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



Metro Planning Commission Meeting of 05/12/2011

- 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.



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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



Metro Planning Commission Meeting of 05/12/2011

- 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



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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,



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clearing, grubbing, final site plan, or any other development application for the property.

PLANNING COMMISSION ACTIONS

- **PUD (Revision & Final)**



2005P-023-003
 BELLE ARBOR
 Map 041, Parcel(s) 147
 Map 050, Parcel(s) 031, 132
 Parkwood - Union Hill
 03 - Walter Hunt



Project No.	Planned Unit Development 2005P-023-003
Project Name	Belle Arbor
Council District	3 - Hunt
School Board District	3 - North
Requested By	Dale and Associates, applicants for Eatherly/Ring Joint Venture, owner
Staff Reviewer	Swaggart
Staff Recommendation	<i>Disapprove</i>

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



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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

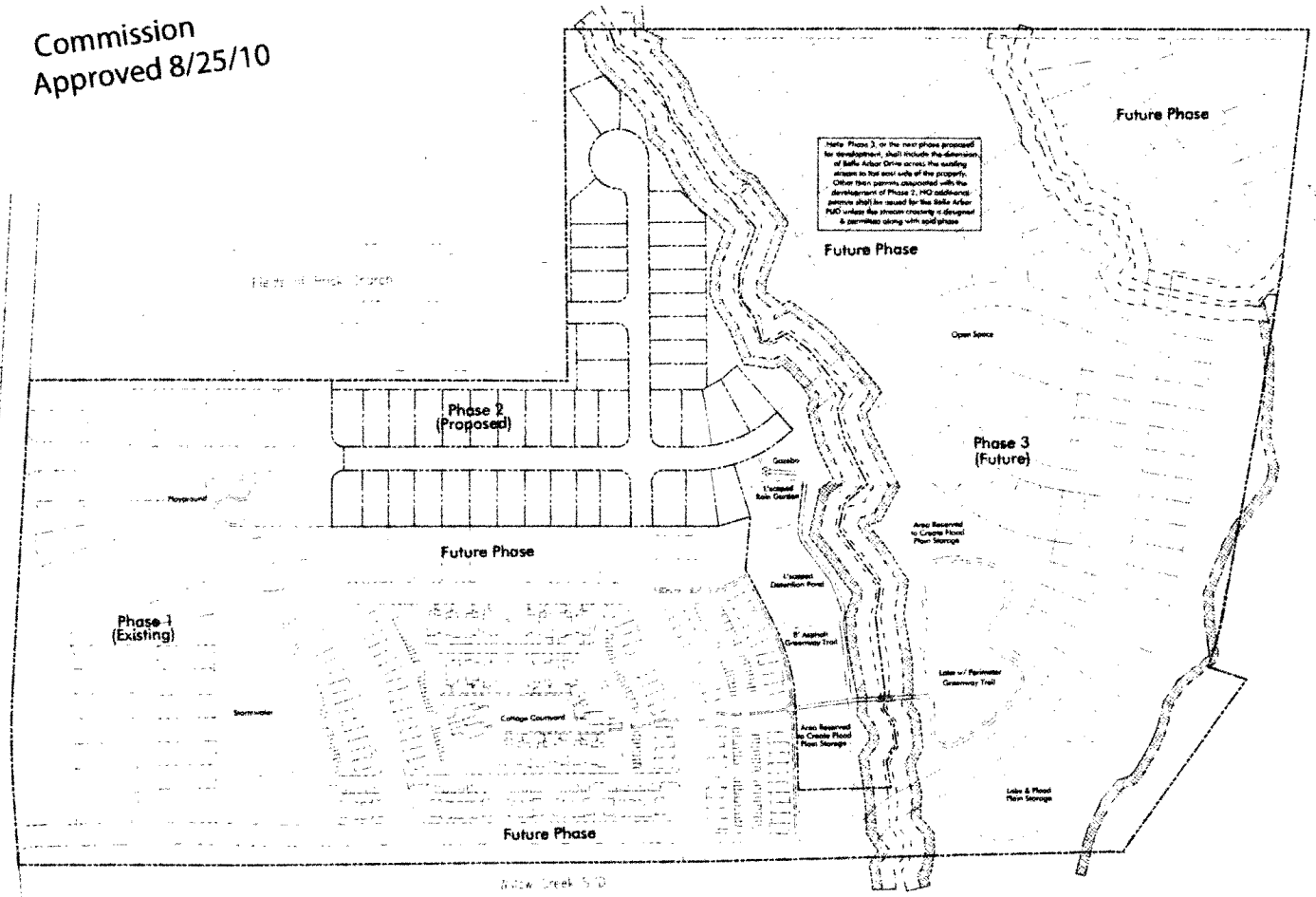
This is a request to amend the Council approved preliminary PUD plan. The primary intent of the request is the elimination of three street connections. The request also reduces the overall number of residential units and proposes minor changes to the overall layout.

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

Commission
Approved 8/25/10



Sheet
100
102



Metro Planning Commission Meeting of 05/12/2011

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.



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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 recording of any additional phases on the east side of the stream.



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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)

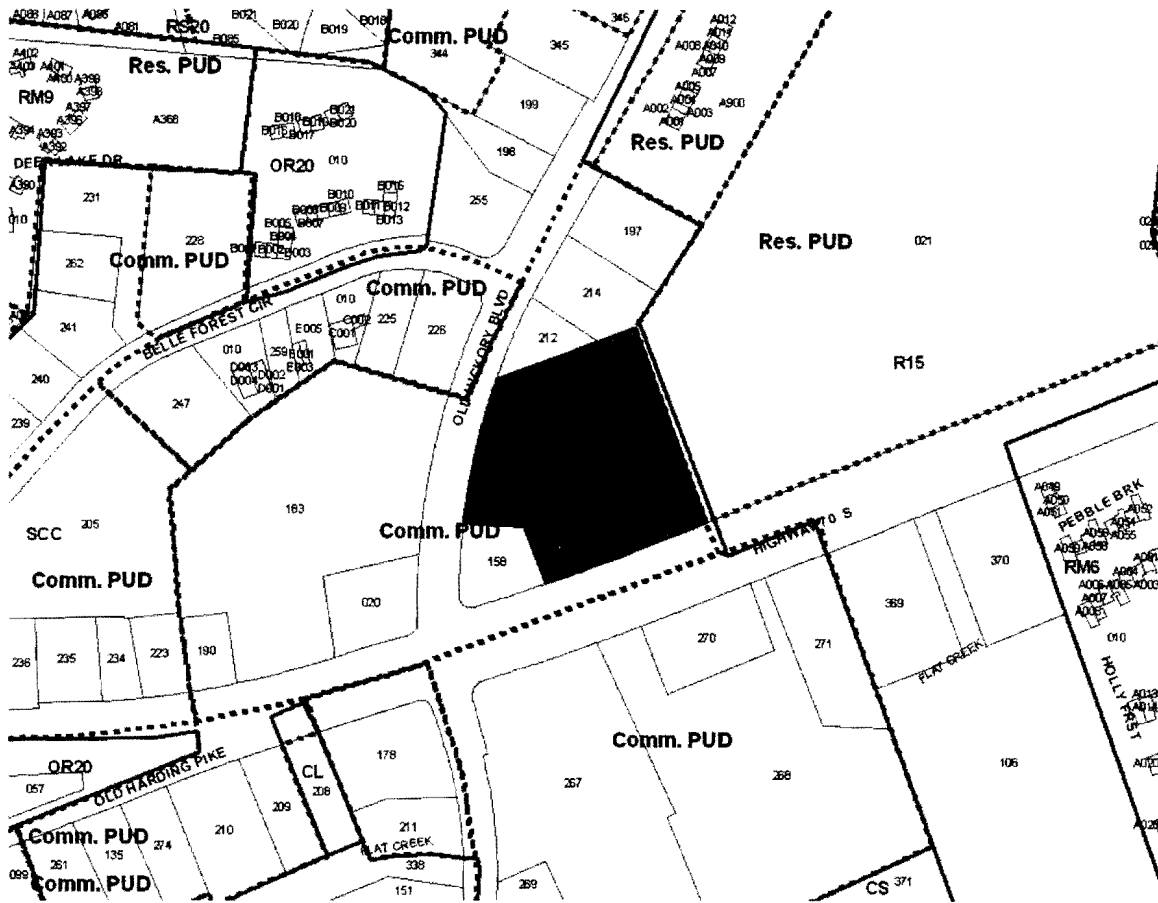
1. The bridge on Belle Arbor Drive connecting Phase 2 to Phase 3 and 4 of this development shall be bonded with the recording of the final plat for phase 2, and shall be constructed prior to the recording of any additional plats for any phase of the Belle Arbor development.
2. The southernmost bridge 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.



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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.

SEE NEXT PAGE



117-67P-001
BELLE FOREST CENTER
 Map 142, Part of Parcel(s) 159
 Bellevue
 22 - Eric Crafton



Project No.	Planned Unit Development 117-67P-001
Project Name	Belle Forest Center
Council District	22 – Crafton
School District	9 – Simmons
Requested by	Civil Design Consultants LLC, applicant, for BSM Belle Forest LLC, owner
Staff Reviewer	Swaggart
Staff Recommendation	<i>Approve with conditions</i>

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

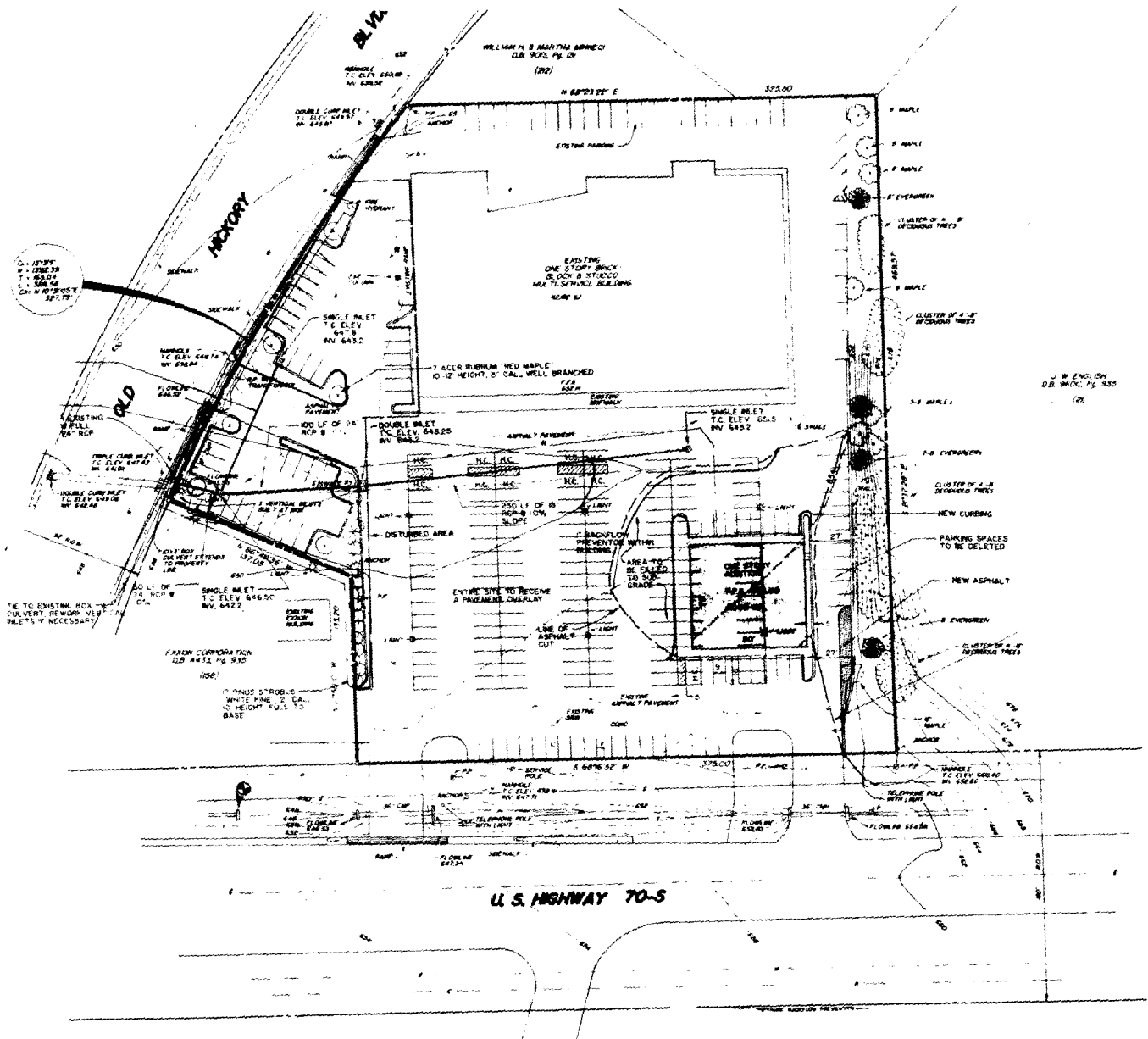
The Belle Forest Center PUD is located in Bellevue at the northeast corner of the intersection of U.S. Highway 70 and Old Hickory Boulevard. The PUD is currently built out, and consists of two retail buildings and an Exxon fuel station which is at the corner. The building proposed to be removed was previously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

Council
Approved 5/9/96



J. W. ENGLISH
D.B. 960179 395
(2)

U.S. HIGHWAY 70-S



Metro Planning Commission Meeting of 05/12/2011

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.



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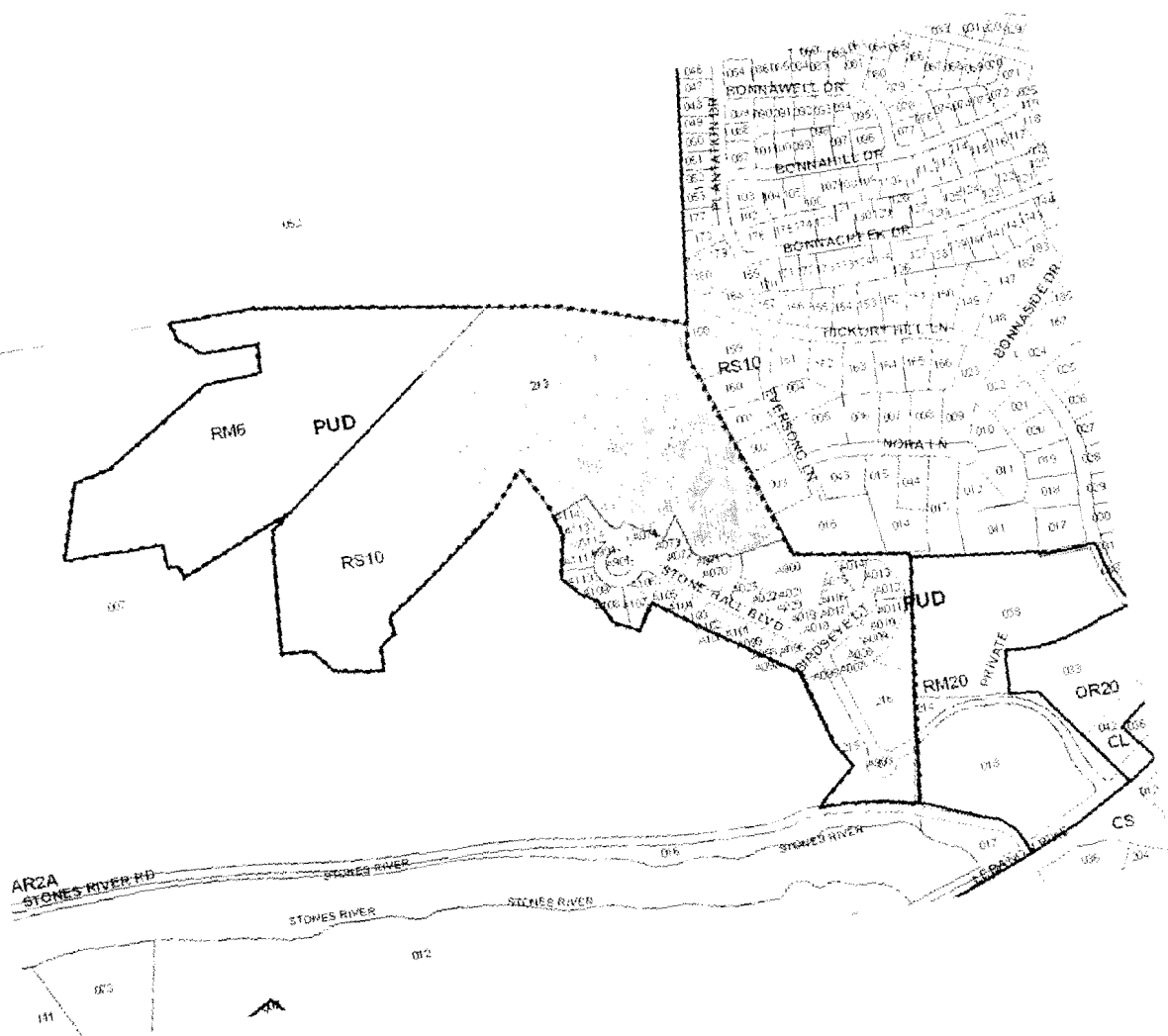
CONDITIONS

1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the 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



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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.



2005P-030-002
 RAVENWOOD, PH 1, SEC 2A
 Map 085, Part of Parcel(s) 213
 Donelson - Hermitage
 14 - James Bruce Stanley



Project No. **Planned Unit Development 2005P-030-002**
Project Name **Ravenwood, PH 1, Sec 2A**
Council District 14 – Stanley
School Board District 4 – Shepherd
Requested By Civil Site Design Group, applicant for E. Phillips Development, LLC, owner

Staff Reviewer Sexton
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

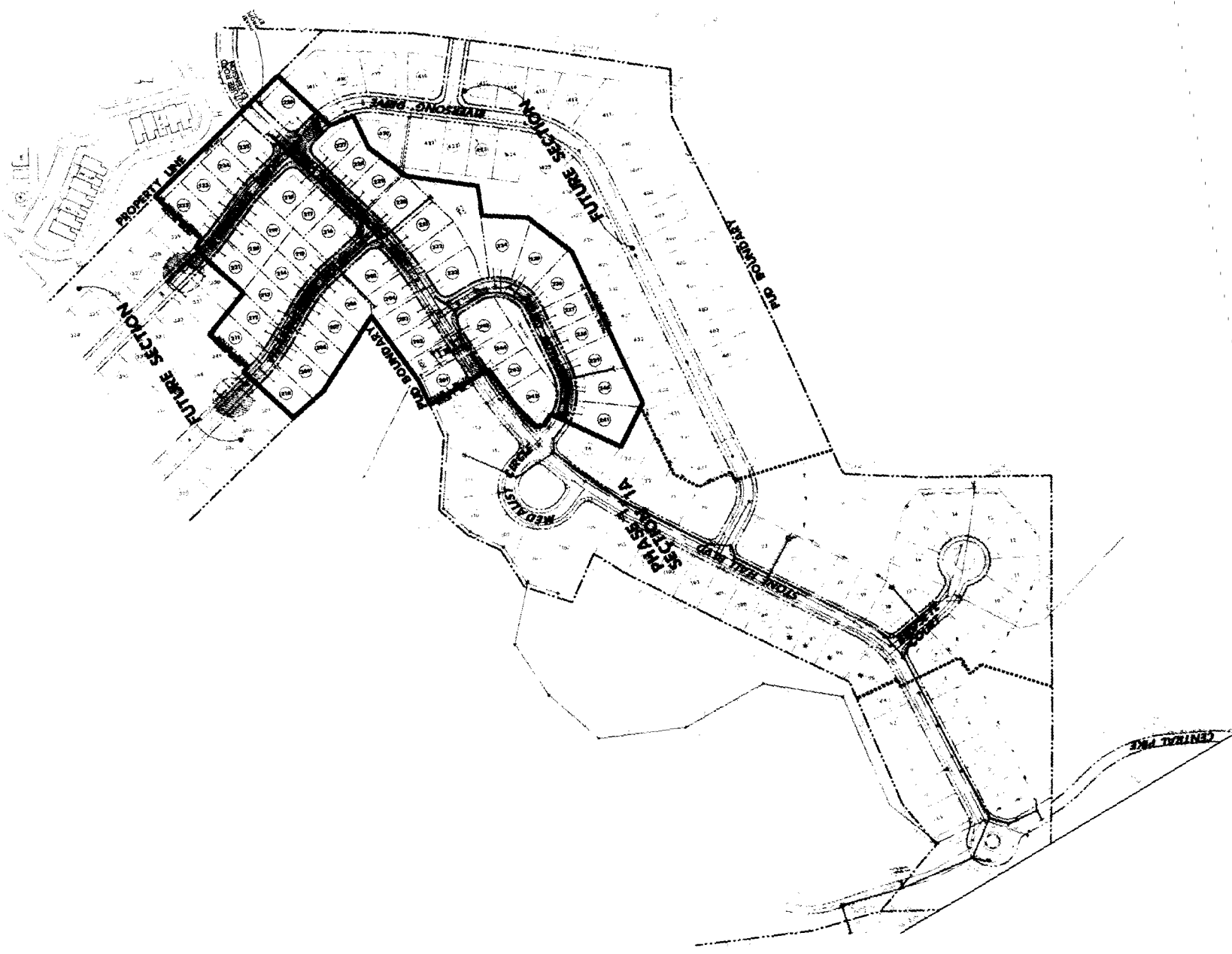
N/A

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.





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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

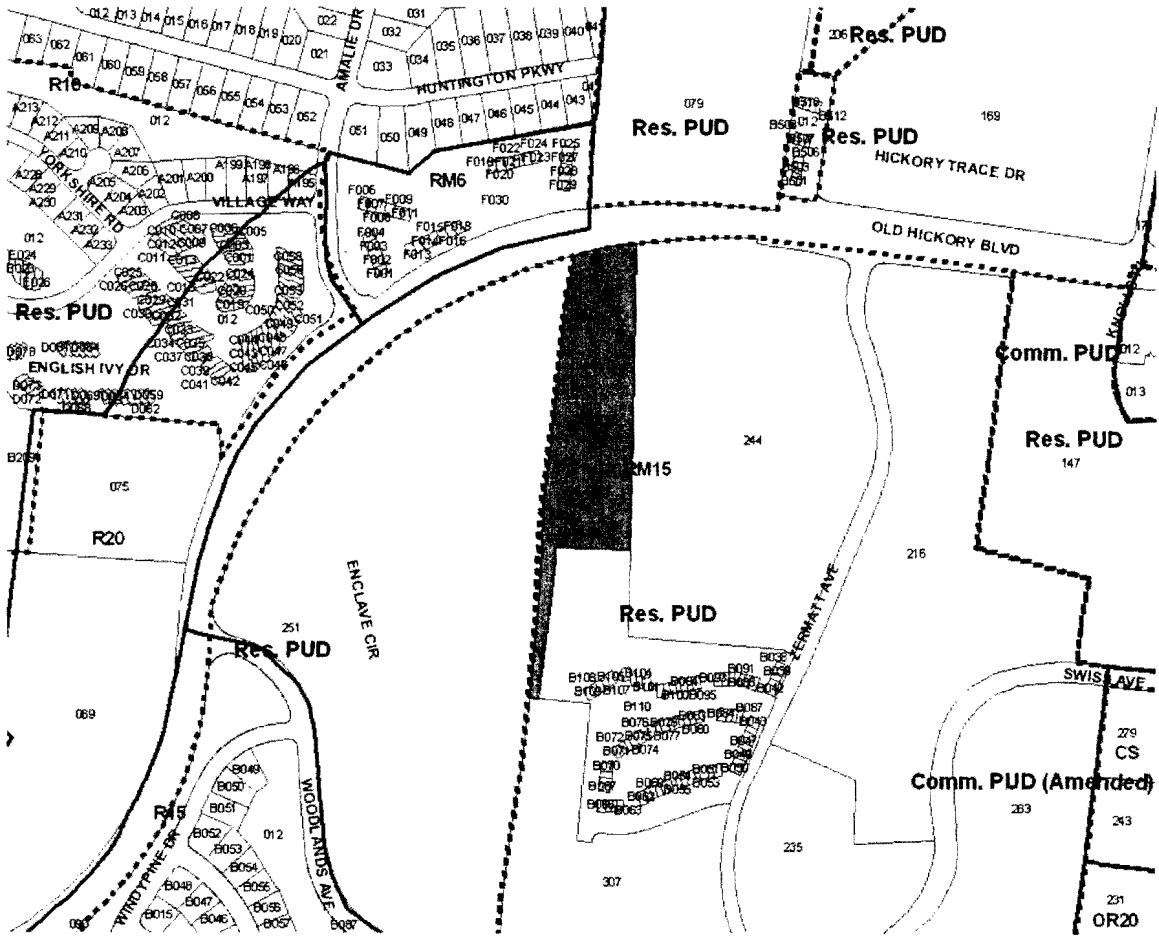
1. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services.
2. Prior to the issuance of any permits, confirmation of PUD final site plan approval of this proposal 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.



Metro Planning Commission Meeting of 05/12/2011

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.

SEE NEXT PAGE



53-84P-001
HICKORY HEIGHT VILLAS
 Map 161, Parcel(s) 093
 Southeast
 31 - Parker Toler



Project No. **Planned Unit Development 53-84P-001**
Project Name **Hickory Height Villas**
Council District 31 – Toler
School District 2 – Brannon
Requested by Wamble & Associates, applicant, for McL-R Partnership, owner

Staff Reviewer Johnson
Staff Recommendation *Defer to May 26, 2011 Planning Commission meeting.*

APPLICANT REQUEST

Permit 325 multi-family units

PUD revision

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 structured parking within two buildings.

STAFF RECOMMENDATION

Staff recommends deferral of the request to the May 26, 2011 Planning Commission meeting.