

# Metropolitan Planning Commission



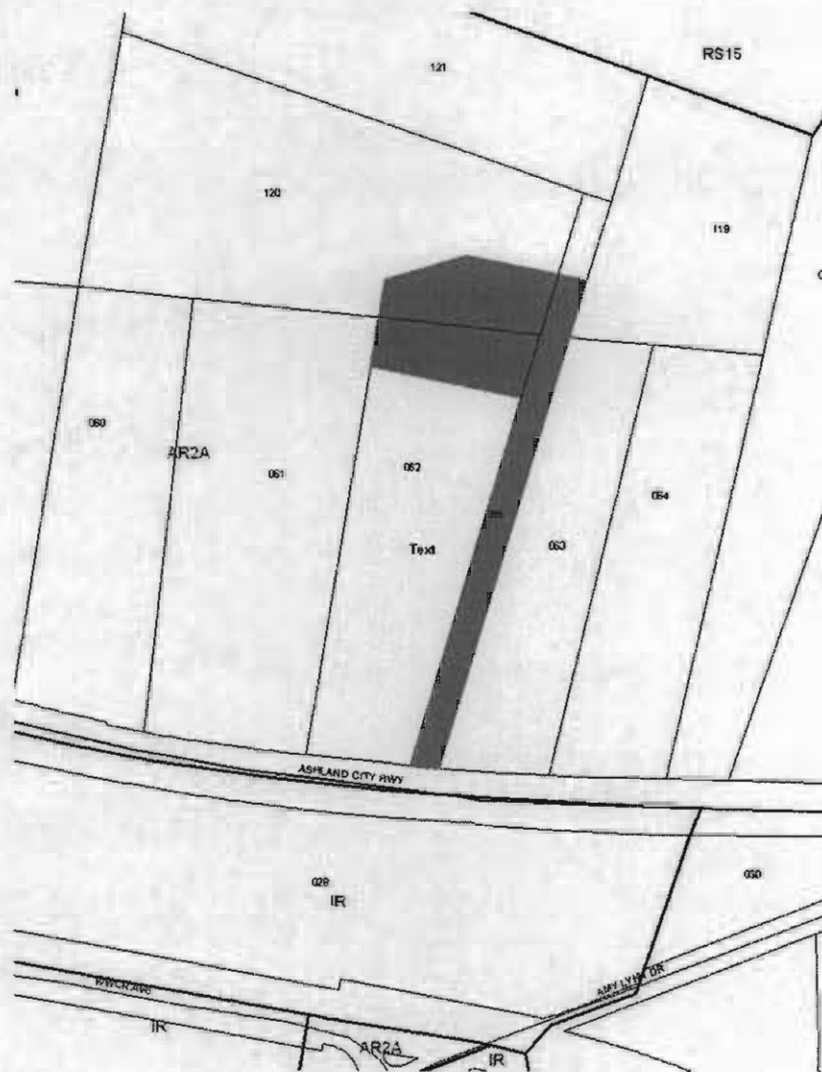
Staff Reports

September 22, 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**
- **PUD (Final)**



**2011SP-016-001**  
4608 Ashland City Highway (PRELIM & FINAL)  
Map 057, Part of Parcel(s) 120  
Map 068, Part of Parcel(s) 062, 085  
Bordeaux - Whites Creek  
01 - Lonell Matthews, Jr.



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

**Zone Change 2011SP-016-001**  
**4608 Ashland City Highway Specific Plan**  
1 – Matthews Jr.  
1 – Gentry  
Charles Huddleston, owner  
This request was deferred from the July 28, 2011, Planning Commission meeting.

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

Swaggart  
*Disapprove*

**APPLICANT REQUEST**

**Zone change to permit contractor supply and all other uses permitted in the AR2a zoning district and for final site plan approval.**

**Preliminary SP and Final Site Plan**

**A request to rezone from Agricultural and Residential (AR2) to Specific Plan – Mixed Use (SP-MU) zoning and for final site plan approval for part of properties located at 4608 Ashland City Highway and Ashland City Highway (unnumbered), approximately 3,450 feet west of Briley Parkway (2.99 acres), to permit Building Contractor Supply and all uses permitted in the AR2a zoning district.**

**Existing Zoning**  
AR2a District

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

**Proposed Zoning**  
SP-MU District

Specific Plan-Mixed Use is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes residential uses in addition to office and/or commercial uses.

**DEFERRAL**

This request was originally submitted for Commercial-Service (CS) zoning, but the applicant later amended the application to SP. The request has been deferred from two previous meetings (June 23, 2011 and July 28, 2011). The applicant requested the last deferral in order to meet with the community. Since that time, the acreage requested to be rezoned has been reduced from 5.61 acres to 2.9 acres. The SP now covers a portion of three properties (map 068, parcel 62 and 85, and map 057, parcel 120), where the

# 4608 Ashland City Highway Specific Plan District

**MPC App #: 2011SP-016-001**  
**Map: 068, P/O Parcel: 62 & 85**  
**Map: 057 P/O Parcel: 120**  
**Acreage: 2.991**  
**Council District: 01**  
**School Board District: 01**



## **Intent**

This SP District is intended to permit Building Contractor Supply and all uses permitted within the AR2a zoning district.

## **Specific Requirements**

Outdoor storage is permitted but shall not be within 25 feet of the shared property boundary with map 068, parcel 61 or within 800 feet of Ashland City Highway.

Signage shall not be permitted.

For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the AR2a zoning district as of the date of the applicable request or application.

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 09/22/2011

previous-included all of map 068, parcel 62. The reduced size and shifting of the SP boundary are the results of community meetings with the Councilmember.

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### CRITICAL PLANNING GOALS

N/A

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### BORDEAUX/WHITES CREEK COMMUNITY PLAN

#### Residential Low Medium (RLM)

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

#### Natural Conservation (NCO)

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

#### Consistent with Policy?

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

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### PLAN DETAILS

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

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

#### SP Site Plan

The plan does not propose any specific construction of new buildings, but is a regulatory plan which will limit current



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and future use of the district. As proposed the district would permit building contractor supply as well as all other uses permitted by the AR2a zoning district.

The SP would also permit outdoor storage. Any outside storage would not be permitted within 25 feet of the property boundary with map 068, parcel 61 or within 800 feet of Ashland City Highway.

The SP would prohibit signage. Other standards which are not specified in the proposed SP, including bulk, parking and landscaping would be subject to the standards, regulations and requirements of the AR2A zoning district. At this time no new construction is proposed; however, any future construction within the district will require review by planning staff and could require approval by the Planning Commission and/or Council.

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### STORMWATER RECOMMENDATION

No sign off is required

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### PUBLIC WORKS RECOMMENDATION

Approve with conditions

Prior to any building permit or final site plan approval a comprehensive traffic study and development plan may be required to determine the number and location of access points along with any off-site conditions that may be necessary to mitigate traffic impact.

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### STAFF RECOMMENDATION

Staff recommends disapproval because the proposed SP permits a non-residential use that is not consistent with the properties Residential Low Medium land use policy.

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### CONDITIONS (If approved)

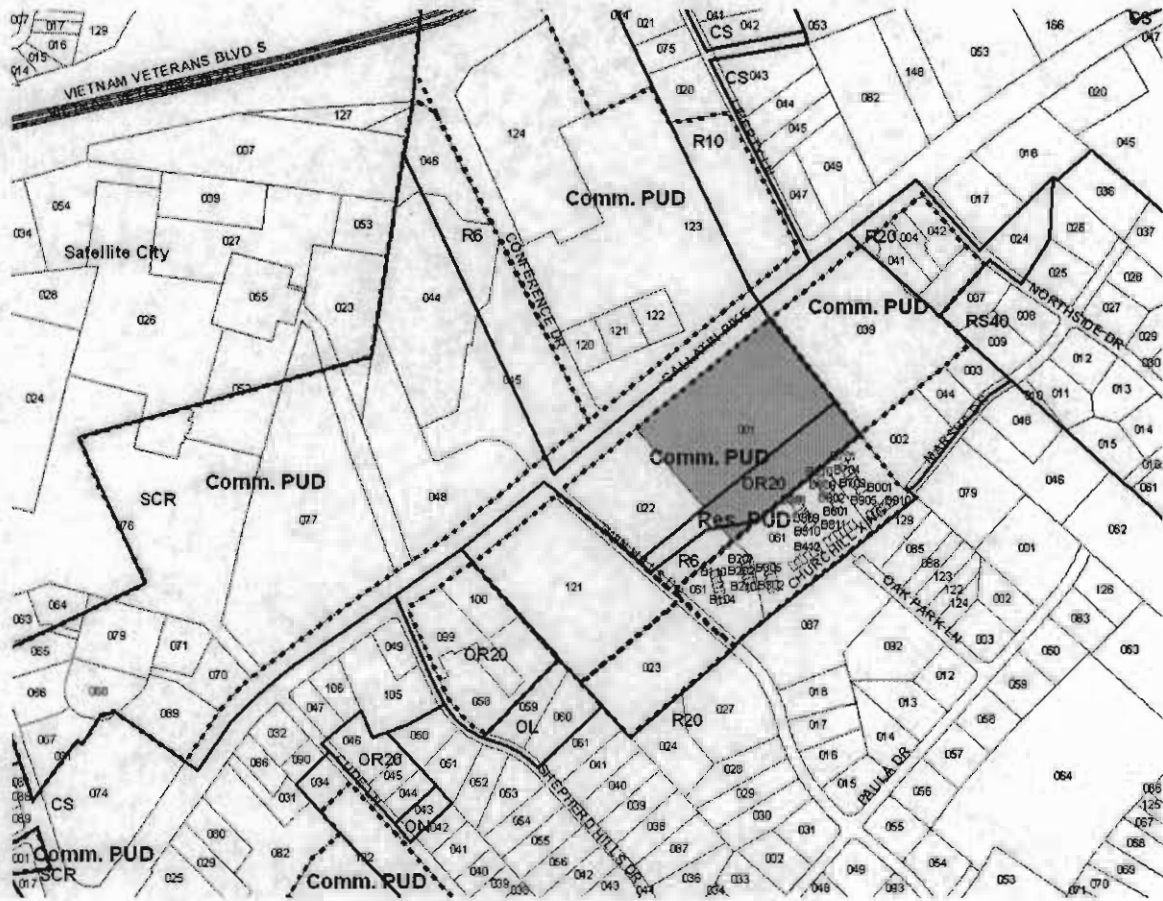
1. Outdoor storage is permitted but shall not be within 25 feet of the property boundary with map 068, parcel 61 or within 800 feet of Ashland City Highway.
2. Signage shall not be permitted.
3. Uses permitted by this SP district include Building Contractor Supply and all uses permitted by the AR2a zoning district.
4. Any new construction in the district shall require approval by the planning department and may require approval from the Planning Commission.





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5. Prior to any building permit or final site plan approval a comprehensive traffic study and development plan may be required to determine the number and location of access points along with any off-site conditions that may be necessary to mitigate traffic impact..
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 AR2a zoning district as of the date of the applicable request or application.
7. Minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.
8. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**165-79P-001**  
**RIVERGATE MARKETPLACE (PANDA EXPRESS)**  
 Map 026-15, Parcel(s) 001  
 Madison  
 10 - Doug Pardue



<b>Project No.</b>	<b>Planned Unit Development 165-79P-001</b>
<b>Project Name</b>	<b>Rivergate Marketplace (Panda Express)</b>
<b>Council District</b>	10 – Pardue
<b>School Board District</b>	3 – North
<b>Requested By</b>	Interplan, LLC, applicant for Price Tennessee Properties, L.P. owner
<b>Deferral</b>	Deferred from the August 25, 2011 and September 8, 2011, Planning Commission meetings at the request of the applicant
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Disapprove. If Metro Stormwater approves plans prior to the meeting then staff recommends approval with conditions.</i>

**APPLICANT REQUEST**

**Revise preliminary plan and final to permit a fast food restaurant**

**Revise Preliminary Plan and final site plan approval**

A request to revise the preliminary plan and for final site plan approval for a portion of the Rivergate Marketplace Commercial Planned Unit Development Overlay located at 2125 Gallatin Pike, approximately 450 feet north of Twin Hills Drive, zoned Shopping Center Regional (SCR) and Office/Residential (OR20), (10.18 acres) to permit the development of a 2,448 square foot fast food restaurant with one drive-thru lane.

**Existing Zoning**  
SCR District

Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

OR20 District

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

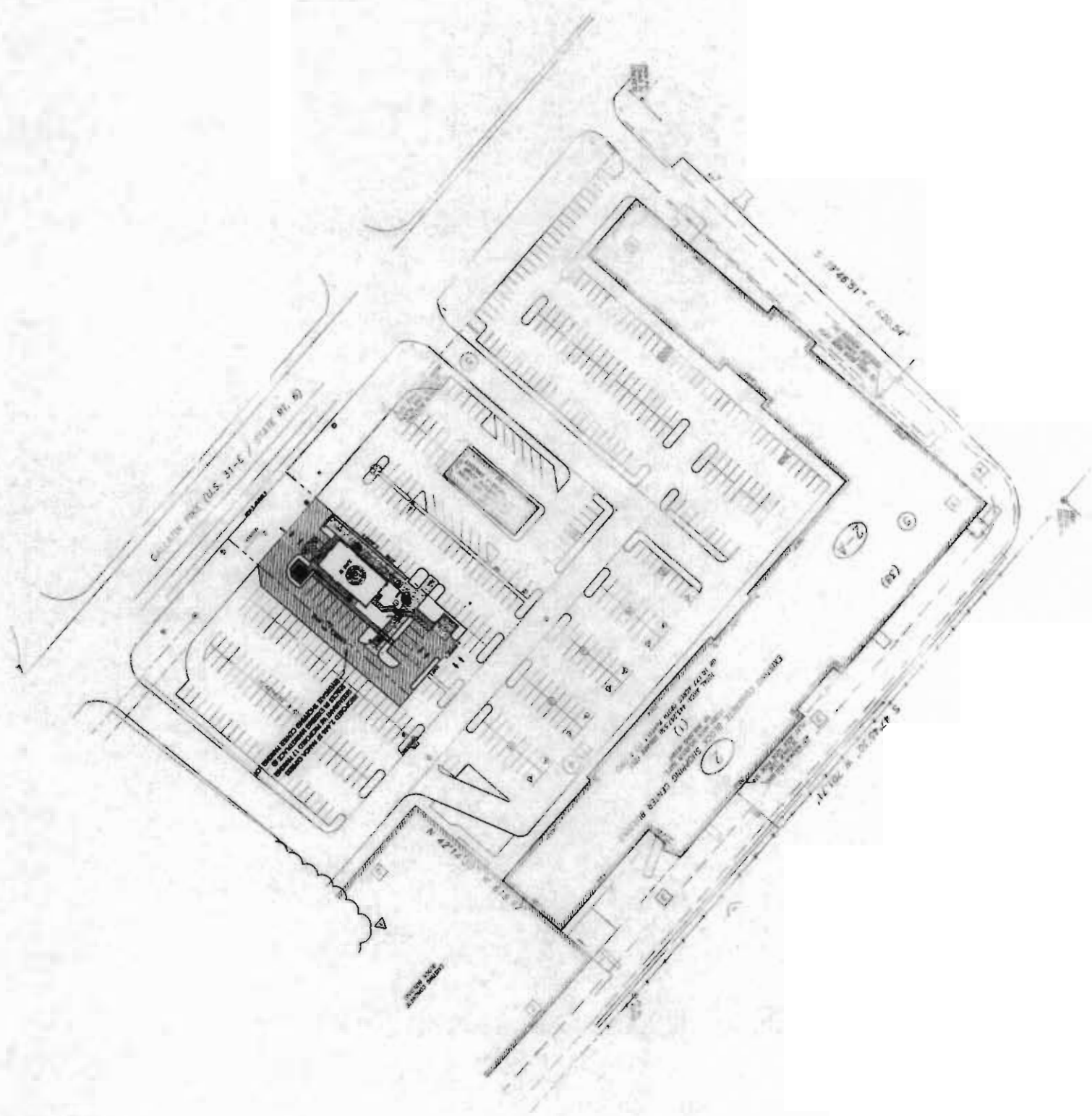
**CRITICAL PLANNING GOALS**

N/A

**REQUEST DETAILS**

The Rivergate Marketplace Planned Unit Development (PUD) is located in Madison on the east side of Gallatin Pike just south of the county line. The existing shopping center on the site consists of approximately 168,036 square feet of floor area. The PUD was originally approved in 1979, and has been revised numerous times in the past.

This request is to permit the addition of a 2,448 square foot fast food restaurant within the existing parking lot.





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### Parking

The request will also permit a drive thru window for take-out orders. The request does not propose a new out parcel. To accommodate the new use, the parking lot within the project area will need to be modified. As proposed, the total floor area will be increased to 170,484 square feet which is less than ten percent of the floor area last approved by Council.

A total of 67 existing parking spaces will be removed in order to accommodate the project. Seventeen new spaces will be constructed with the project resulting in a net loss of 50 spaces. Currently the development does not contain the required 962 parking spaces specified by the Metro Zoning Code. There are currently only 710 parking spaces. The Code permits fewer spaces for shared parking when a shared parking study indicates that there is adequate parking. Any parking study must be approved by the metropolitan traffic engineer. A shared parking study was conducted and indicated that, due to the nature of existing uses, the actual parking demand is lower than the number of spaces required by the Code. According to the study, which has been approved by the metro traffic engineer, the actual parking demand is 502 spaces, and therefore, the provided 710 spaces are adequate. It is important to note that any future changes in use within the development may require a new parking study and may not be permitted if sufficient parking cannot be documented and approved by the metro traffic engineer.

### Analysis

The proposed request is within the limits of a revision, and it does not require Council approval. While the proposal does not provide the minimum number of parking spaces required for the various uses in the development, a parking study approved by the Metro traffic engineer indicates that sufficient parking is being provided. As proposed, the request meets all zoning requirements with the approval of the shared parking study and staff recommends that the request be approved with conditions.

### 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.

### STORMWATER RECOMMENDATION

Not Approved



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### STAFF RECOMMENDATION

Staff recommends that the request be disapproved because the plans have not been approved by Metro Stormwater. If Metro Stormwater approves plans prior to the meeting, then staff recommends approval with conditions including any additional Stormwater conditions as the proposed request meets all zoning requirements.

### CONDITIONS

1. A revised shared parking study may be required with any change of use within the shopping center. Use changes may not be permitted if sufficient parking cannot be provided.
2. 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.
3. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four additional copies of the approved plans have been submitted to the Metro Planning Commission.
5. The PUD final site plan as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans may require reapproval by the Planning Commission and/or Metro Council.



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

**SEE NEXT PAGE**



**COMMUNITY PLAN  
AMENDMENT**



**2011CP-013-003**  
**ANTIOCH PRIEST LAKE PLAN AMENDMENT**  
 Map 120-01, Parcel(s) 167  
 Antioch - Priest Lake



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

**Housekeeping Amendment 2011CP-013-003**  
**Amend the *Antioch-Priest Lake Community Plan: 2003 Update***

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

13 – Stites, Councilmember Elect  
7 – Kindall  
Metropolitan Planning Department, applicant for Sam Bernhard, owner

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

Wood  
*Approve*

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**APPLICANT REQUEST**

**Amend the land use policy from Residential Low Medium to Commercial Arterial Existing.**

**Housekeeping Plan Amendment**

**A request to amend the Antioch- Priest Lake Community Plan: 2003 Update to change the Land Use Policy from Residential Low-Medium Density (RLM) to Commercial Arterial Existing (CAE) for property located at Murfreesboro Pike (unnumbered), approximately 350 feet south of Vultee Boulevard (1.04 acres).**

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**CRITICAL PLANNING GOALS**

N/A

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**ANTIOCH – PRIEST LAKE COMMUNITY PLAN**

**Existing Land Use Policy**  
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 town-homes and other forms of attached housing may be appropriate.

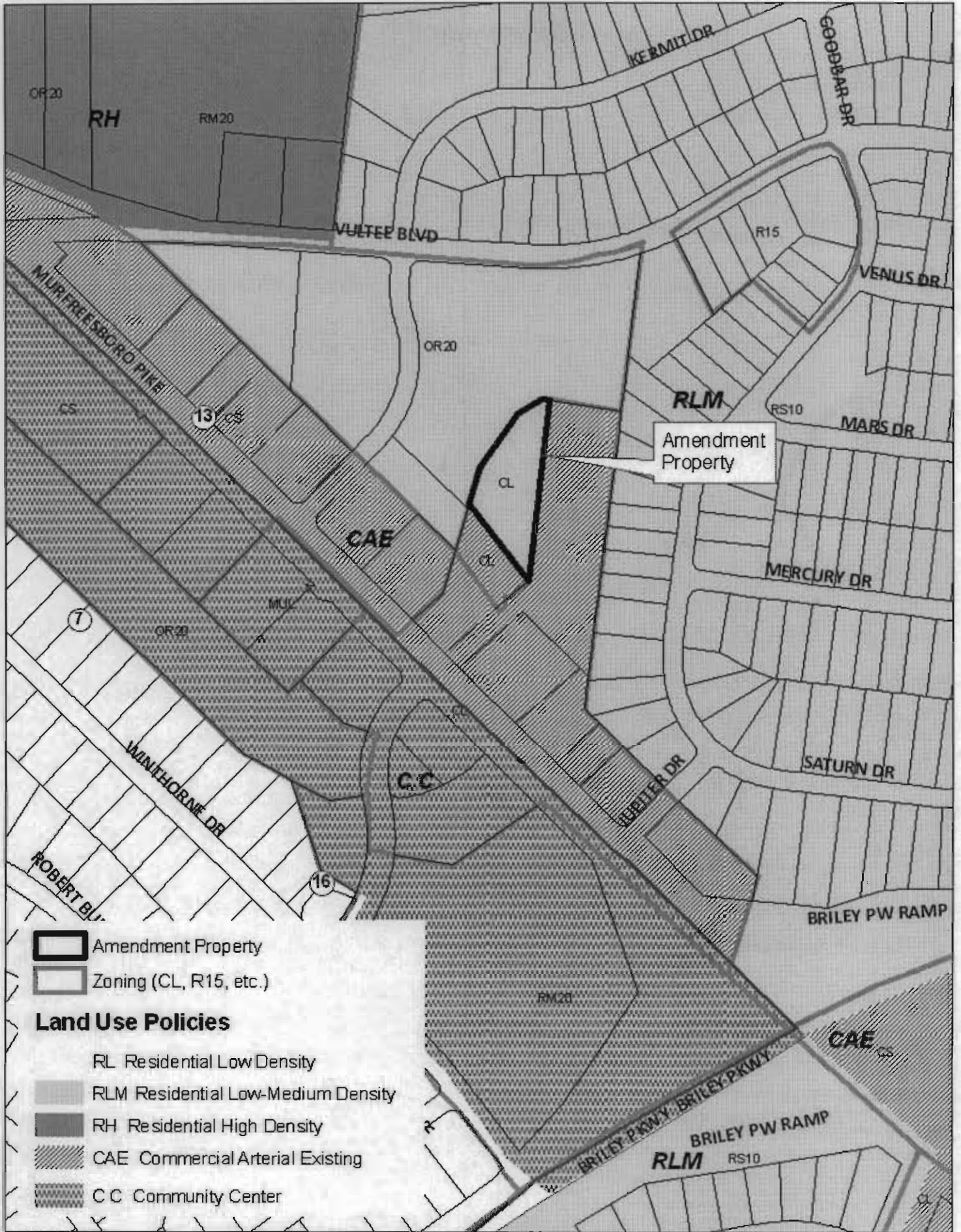
**Proposed Land Use Policy**  
Commercial Arterial Existing (CAE)



CAE policy is applied to existing areas of “strip commercial,” characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. Within CAE areas, small to moderate-sized development is important. Predominant uses found in CAE areas are retail and office activities, such as restaurants and consumer services.

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**BACKGROUND**

The Planning Commission recommended approval of a zone change from R10 to CL on this property (2011Z-005PR-001) at its April 14, 2011 meeting. As part of its approval, the Commission directed staff to initiate a housekeeping amendment to change the land use policy to



-  Amendment Property
-  Zoning (CL, R15, etc.)

**Land Use Policies**

-  RL Residential Low Density
-  RLM Residential Low-Medium Density
-  RH Residential High Density
-  CAE Commercial Arterial Existing
-  CC Community Center



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Commercial Arterial Existing (CAE). The Commission found that the request would allow the property to develop with improved consistency with the existing commercial character of the area.

Subsequently, the zone change from R10 Residential district to CL Commercial Limited district was enacted by Metro Council on July 19, 2011, Ordinance Number BL2011-934.

### Analysis

The proposed request meets the direction established by the Planning Commission and is consistent with the existing and planned character of the surrounding area. Staff recommends that the request be approved.

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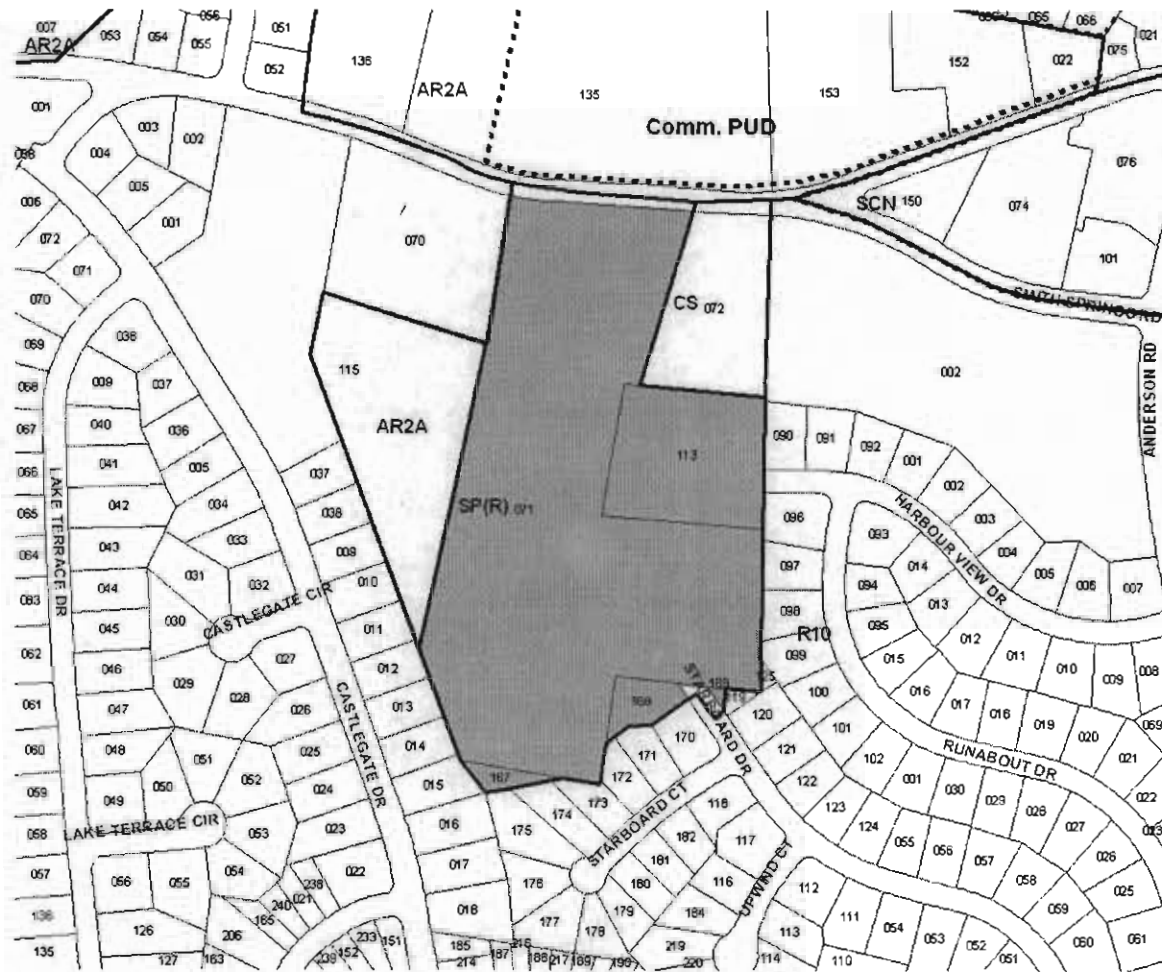
### STAFF RECOMMENDATION

Staff recommends approval.

**SEE NEXT PAGE**

## **RECOMMENDATIONS TO THE METRO COUNCIL**

- **Specific Plan (4 year Review)**
- **Specific Plan**
- **PUD (Cancellation)**



**2007SP-080U-13**  
**RUSSELL'S RETREAT (4-YEAR REVIEW)**  
 Map 136, Parcel(s) 071, 113  
 Map 136-14, Parcel(s) 167-169  
 Antioch - Priest Lake  
 29 - Karen Johnson





<b>Project No.</b>	<b>SP District Review 2007SP-080U-13</b>
<b>Project Name</b>	<b>Russell's Retreat SP</b>
<b>Council District</b>	29 – Johnson
<b>School District</b>	6 – Mayes
<b>Requested by</b>	Metro Planning Department
<b>Staff Reviewer</b>	Sexton
<b>Staff Recommendation</b>	<i>Find the SP District active</i>

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**APPLICANT REQUEST**

**Four year SP review to determine activity**

**SP Review**

The periodic review of an approved Specific Plan - Residential (SP-R) district known as "Russell's Retreat", to determine its completeness pursuant to Section 17.40.106.I of the Metro Zoning Code (Review of a Development Plan), for properties located at 2801 and 2803 Smith Springs Road and at Starboard Drive (unnumbered) (15.43 acres), approved for 138 townhomes via Council Bill BL2007-1497 effective on August 7, 2007.

**Zoning Code Requirement**

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

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

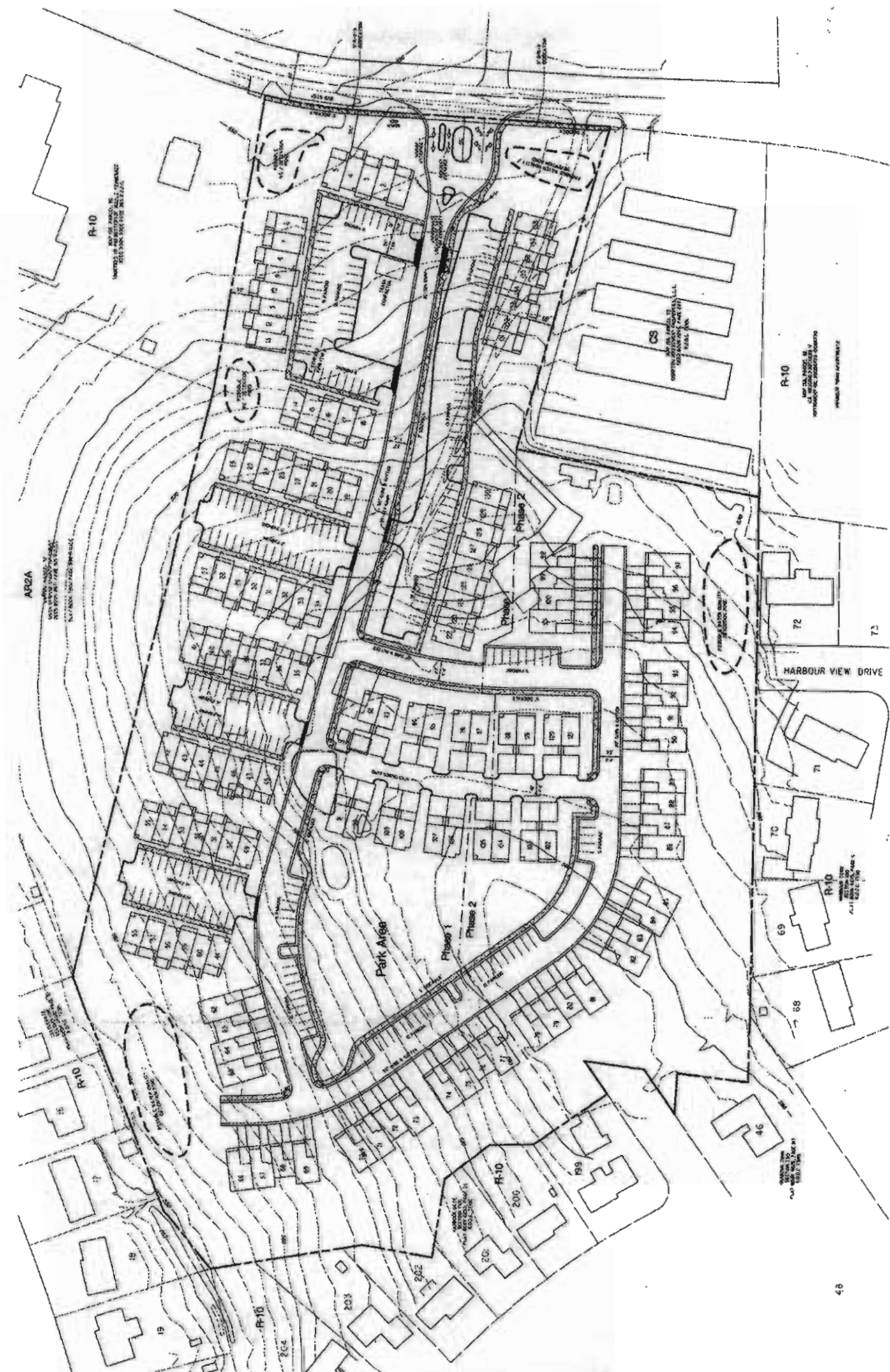
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**DETAILS OF THE SP DISTRICT**

The purpose of this SP is to permit 138 townhomes.

**Analysis**

Staff visited the site August 2011. The removal and clearing of previous residences have been completed. Construction plans have been approved by Metro Public Works and Metro Water Services. The property owners have also paid for Water and Sewer fees. Staff recommends that this SP be found active and that it be placed back on the four-year review list. Staff notes that the SP remains appropriate for the Residential Medium



AREA

R-10

R-10

72

73

HARBOUR VIEW DRIVE

R-10

69

68

46

R-10

200

209

R-10

203

202



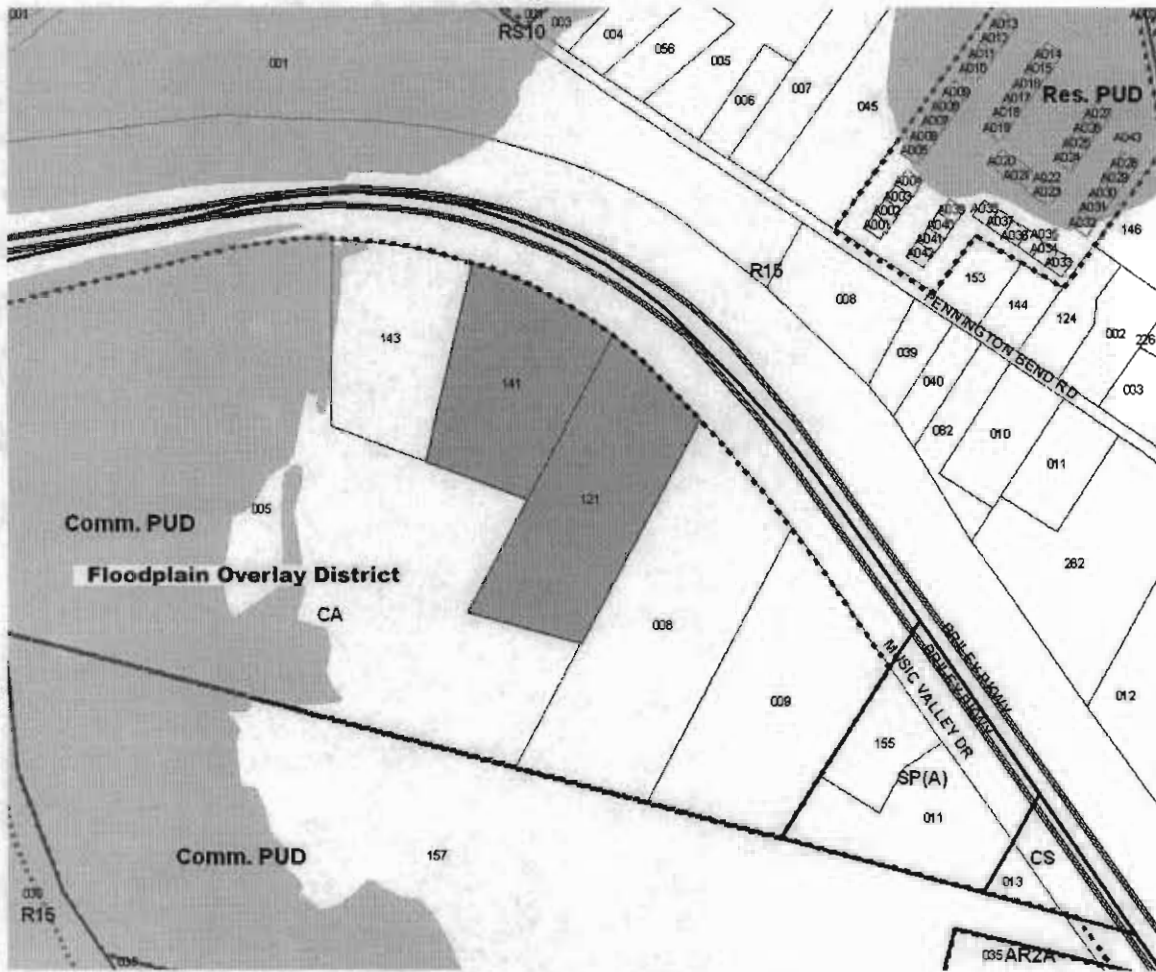
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land use policy of the Antioch-Priest Lake Community Plan.

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### STAFF RECOMMENDATION

Staff recommends that Russell's Retreat SP be found to be active.



**2011SP-021-001**  
 CAMPING WORLD OF TENNESSEE (PRELIM & FINAL)  
 Map 062, Parcel(s) 121, 141  
 Donelson - Hermitage  
 15 - Phil Claiborne



<b>Project No.</b>	<b>Zone Change 2011SP-021-001</b>
<b>Project Name</b>	<b>Camping World of Tennessee</b>
<b>Associated Case</b>	68-72P-002
<b>Council District</b>	15 – Claiborne
<b>School Board District</b>	4 – Shepherd
<b>Requested By</b>	L.H.M. & M. Inc., and AGRP of Nashville, LLC, owners
<b>Staff Reviewer</b>	Sexton
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**APPLICANT REQUEST**

**Permit Heavy Equipment Sales and Service, and all other uses permitted by the CA zoning district.**

**Preliminary and final SP**

**A request to change from Commercial Attraction (CA) to Specific Plan – Auto (SP-A) zoning and for final site plan approval for property located at 2620 and 2622 Music Valley Drive, approximately 1,965 feet east of Pennington Bend Road (7.31 acres), to permit Heavy Equipment Sales and Service, and all other uses permitted by the CA zoning district.**

**Existing Zoning**  
CA District

Commercial Attraction is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry.

**Proposed Zoning**  
SP-A District

Specific Plan-Auto 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 auto uses.*

**CRITICAL PLANNING GOALS**

N/A

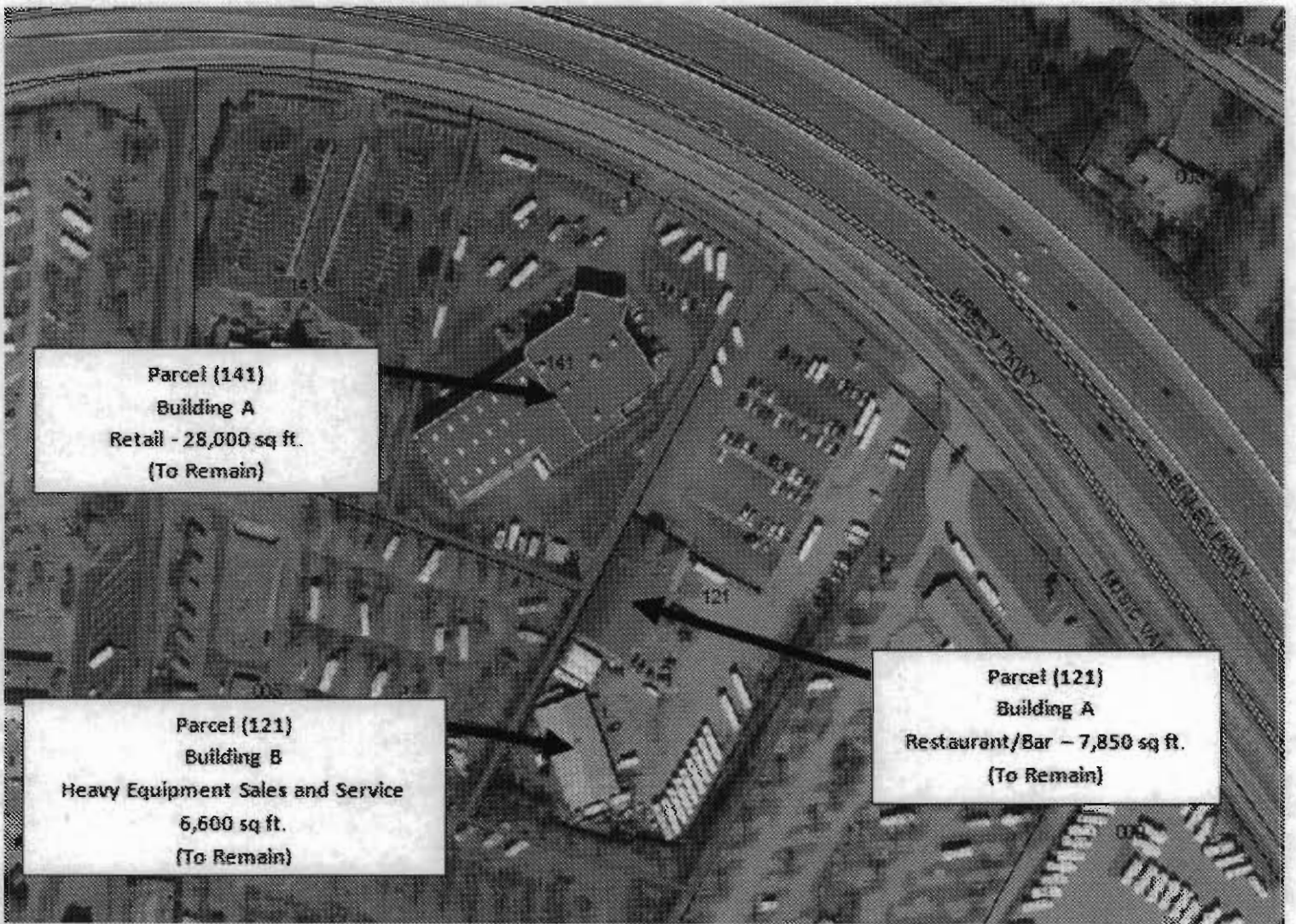
**DONELSON/HERMITAGE  
COMMUNITY PLAN**

**Commercial Mixed  
Concentration (CMC)**

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

**Consistent with Policy?**

Yes. The proposed specific plan zoning is consistent with the property’s CMC policy. The land use policy



**Parcel (141)**  
**Building A**  
**Retail - 28,000 sq ft.**  
**(To Remain)**

**Parcel (121)**  
**Building B**  
**Heavy Equipment Sales and Service**  
**6,600 sq ft.**  
**(To Remain)**

**Parcel (121)**  
**Building A**  
**Restaurant/Bar - 7,850 sq ft.**  
**(To Remain)**



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accommodates a wide variety of commercial uses which includes heavy equipment sales and service.

### PLAN DETAILS

The proposed SP district is approximately 7.31 acres in size and is located along Music Valley Drive, east of the Cumberland River. The SP district is made up of two developed parcels. Parcel 141 consists of an existing one-story, 28,000 square foot retail facility. Parcel 121 consists of a 7,850 square foot restaurant and bar. There is also a 6,600 square foot building used for heavy equipment sales and service located on this parcel. This SP is regulatory in nature and does not propose any additional building construction or square footage beyond what is currently on the site. The proposed SP plan would permit Heavy Equipment Sales and Service as well as all uses allowed by the CA zoning district on parcels 141 and 121. Any new construction within the proposed SP would need to meet the development standards of the CA zoning district.

### Access/Parking

Access to the site is located along Music Valley Drive. There are approximately 153 on-site parking spaces on parcel 141 and 138 on-site parking spaces on parcel 121. All parking standards of the Metro Zoning Code shall be met on both parcels with the exception of Building A on parcel 121 which was previously approved for 105 parking spaces.

### Signs

While signage details for this SP were not submitted by the applicant, the SP does include signage regulations. Approval of a sign permit shall be required prior to new signs being placed on the property. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. All signage shall be monument style or building mounted. Monument signs shall have a maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway.

Wall mounted building signs on building faces located up to 50 feet from the property boundary along the public right of way shall have a maximum sign area of 48 square feet. Building faces located more than 50 feet from the property boundary along the public right of way may add an additional one square foot of sign area for every foot



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over 50 feet that the building face is located from the street, up to a maximum size of 100 square feet. Awning signs shall have a maximum sign area of 50 percent of the surface area of the awning.

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### **PUBLIC WORKS RECOMMENDATION**

No exception taken

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### **STAFF RECOMMENDATION**

Staff recommends approval with conditions of the zone change request. The proposed SP zoning district is consistent with the area's CMC land use policy. The land use policy accommodates a wide variety of commercial uses which includes heavy equipment sales and service

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### **CONDITIONS**

1. The SP is limited to Heavy Equipment Sales and Service, and all other uses permitted by the CA zoning district.
2. All parking standards of the Metro Zoning Code shall be met on both parcels with the exception of Building A on parcel 121 which shall require 105 parking spaces.
3. Approval of a sign permit shall be required prior to new signs being placed on the property. In addition to signs prohibited by Section 17.32.050 of the Metro Zoning Ordinance, prohibited signs include roof mounted signs, pole mounted signs, billboards, and signs that flash, rotate, scintillate, blink, flicker or vary in intensity or color, including all electronic signs. All signage shall be monument style or building mounted. Monument signs shall have a maximum sign area of 48 square feet, and shall not exceed six feet in height or three feet in height if any portion of the sign is located within 15 feet of a driveway.

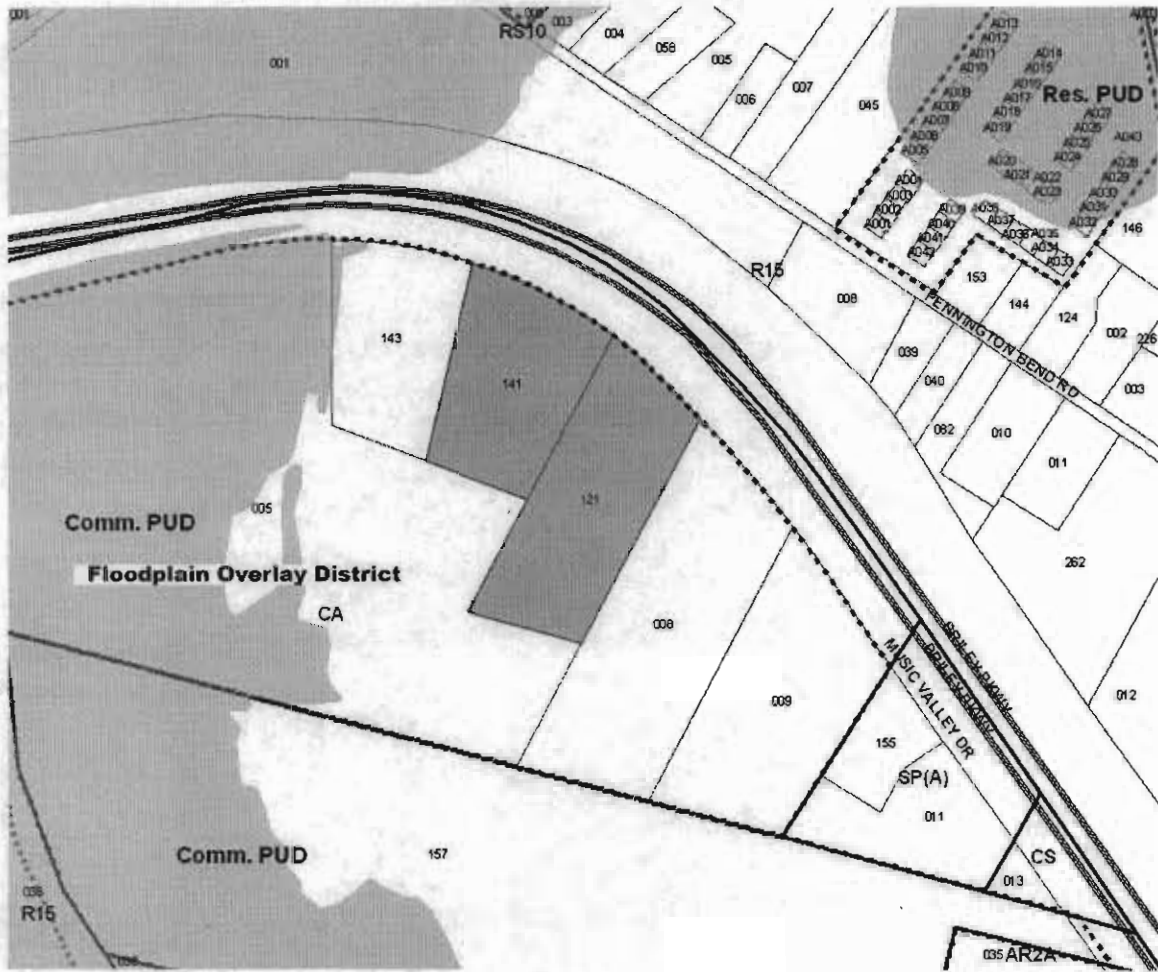
Wall mounted building signs on building faces located up to 50 feet from the property boundary along the public right of way shall have a maximum sign area of 48 square feet. Building faces located more than 50 feet from the property boundary along the public right of way may add an additional one square foot of sign area for every foot over 50 feet that the building face is located from the street, up to a maximum size of 100 square feet. Awning signs shall have a maximum sign area of 50 percent of the surface area of the awning.





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4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission or Council approval, the property shall be subject to the standards, regulations and requirements of the CA zoning district as of the date of the applicable request or application.
5. A corrected copy of the preliminary SP plan incorporating the conditions of approval by the 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.
6. The SP final site plan as approved by the Planning Commission will be used to determine compliance, both in the issuance of permits for construction and field inspection. While minor changes may be allowed, significant deviation from the approved site plans may require reapproval by the Planning Commission and/or Metro Council.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.



**68-72P-002**  
**WILLIE'S NIGHTLIFE (CANCELLATION)**  
 Map 062, Parcel(s) 121, 141  
 Donelson - Hermitage  
 15 - Phil Claiborne



<b>Project No.</b>	<b>Planned Unit Development 68-72P-002</b>
<b>Project Name</b>	<b>Willie's Nightlife (Cancellation)</b>
<b>Associated Case</b>	2011SP-021-001
<b>Council District</b>	15 – Claiborne
<b>School Board District</b>	4 – Shepherd
<b>Requested By</b>	L.H.M. & M. Inc., and AGRP of Nashville, LLC owners
<b>Staff Reviewer</b>	Sexton
<b>Staff Recommendation</b>	<i>Approve</i>

**APPLICANT REQUEST**

**Cancel a portion of a PUD**

**PUD Cancellation**

**A request to cancel a portion of the Willie's Nightlife Commercial Planned Unit Development Overlay District on property located at 2620 and 2622 Music Valley Drive, approved for a campground, restaurant, and maintenance garage (7.31 acres), zoned Commercial Attraction (CA).**

**Existing Zoning**  
CA District

Commercial Attraction is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry.

**CRITICAL PLANNING GOALS**

N/A

**REQUEST DETAILS**

This is a request to cancel a portion of the Willie's Nightlife PUD. The PUD was originally approved in 1972 as a campground. In 1983, the Council approved an amendment to the PUD for a restaurant use. In 1995, the Planning Commission approved a revision to the final PUD plan to permit the development of a tour bus parking and maintenance facility on parcel 121. The area proposed to be canceled from the PUD is approximately 7.31 acres in size and includes an existing 28,000 square foot retail facility, and 6,600 square foot building that is being used for heavy equipment sales and service. There is also an existing 7,850 square foot restaurant and bar included within this cancellation.

Parcel 121 is accessed by two driveways along Music Valley Drive and parcel 141 is accessed by one driveway along Music Valley Drive. There are no stub streets, which would provide connectivity to adjacent properties, nor are there any other vital development components approved in this section of the PUD. If the cancellation is approved it will not have a negative impact on the existing development in the remainder of the PUD.



## Metro Planning Commission Meeting of 09/22/2011

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**PUBLIC WORKS  
COMMENTS**

No Exceptions Taken

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**STORMWATER  
RECOMMENDATION**

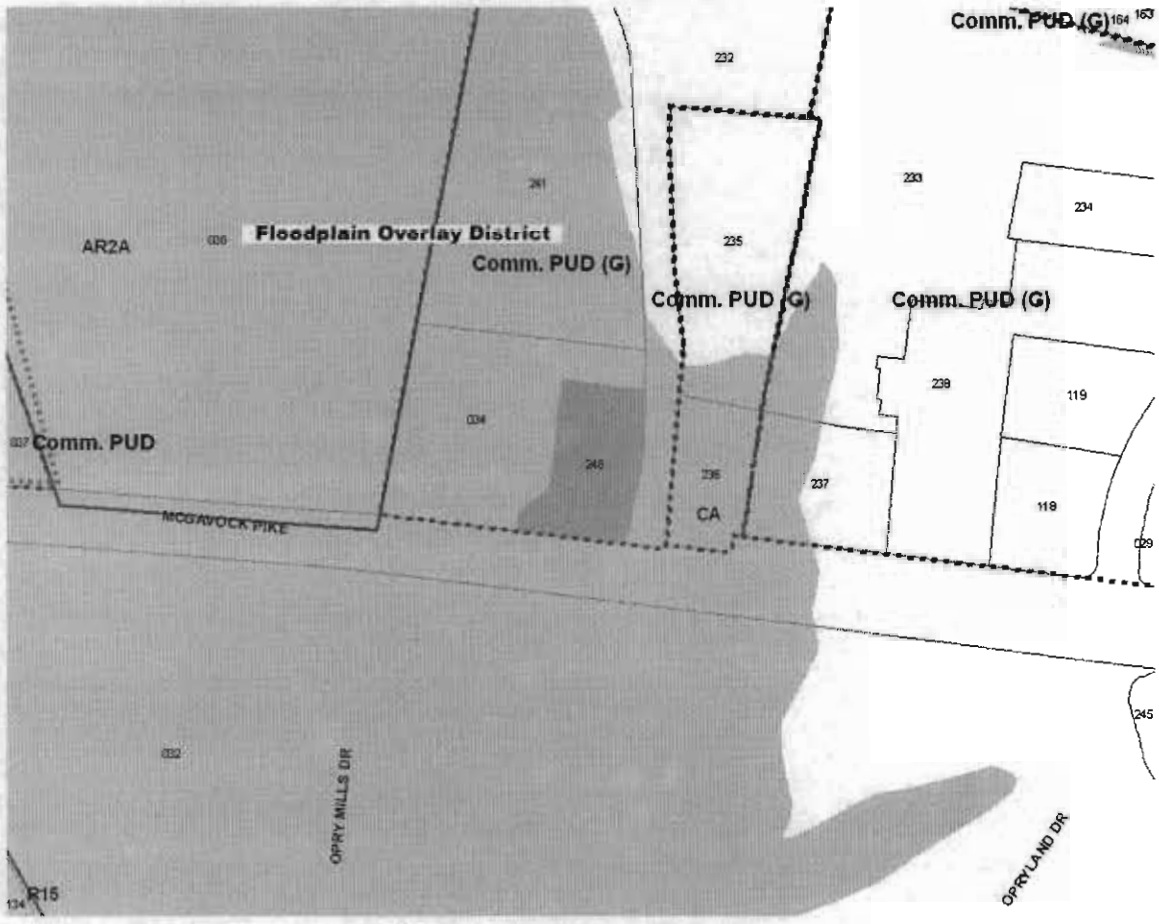
Approved

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**STAFF RECOMMENDATION**

Staff recommends that the request be approved.

**SEE NEXT PAGE**



**117-83P-001**  
**MUSIC CITY OUTLET CENTER (PUD CANCELLATION)**  
Map 062, Parcel(s) 248  
Donelson - Hermitage  
15 - Phil Claiborne



<b>Project No.</b>	<b>Planned Unit Development 117-83P-001</b>
<b>Project Name</b>	<b>Music City Outlet Center (Cancellation)</b>
<b>Council District</b>	15 – Claiborne
<b>School Board District</b>	4 – Shepherd
<b>Requested By</b>	Hobbs and Sons, L.P., owner
<b>Staff Reviewer</b>	Sexton
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

**Cancel a portion of a PUD**

**PUD Cancellation**

**A request to cancel a portion of the Music City Outlet Center Planned Unit Development District Overlay on property located at 2471 McGavock Pike, approved for a 4,400 square foot convenience market (1.13 acres), zoned Commercial Attraction (CA) within the Floodplain Overlay District.**

**Existing Zoning**

CA District

Commercial Attraction is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry.

**Floodplain Overlay District (FO)**

The 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 cancellation request will not remove this property from the FO.**

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**CRITICAL PLANNING GOALS**

N/A

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**REQUEST DETAILS**

This is a request to cancel a portion of the Music City Outlet Center Planned Unit Development Overlay (PUD). The PUD was originally approved in 1983 for retail, hotel, restaurant and general office uses. The property is located at the northwest corner of McGavock Pike. The area proposed to be canceled from the PUD is approximately 1.13 acres in size and includes an existing 4,400 square foot convenience market, and gas station.

The property is accessed by two driveways on the east side of the site. The property also shares joint access with a hotel to the west along McGavock Pike. While the hotel shares joint access with this property, the hotel is also accessible via a secondary driveway on the northeast



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portion of the hotel's property. The shared access easement for the two properties will remain.

If the cancellation is approved it will not have a negative impact on the existing development in the remainder of the PUD.

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### **PUBLIC WORKS COMMENTS**

No Exceptions Taken

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### **STORMWATER RECOMMENDATION**

Approved

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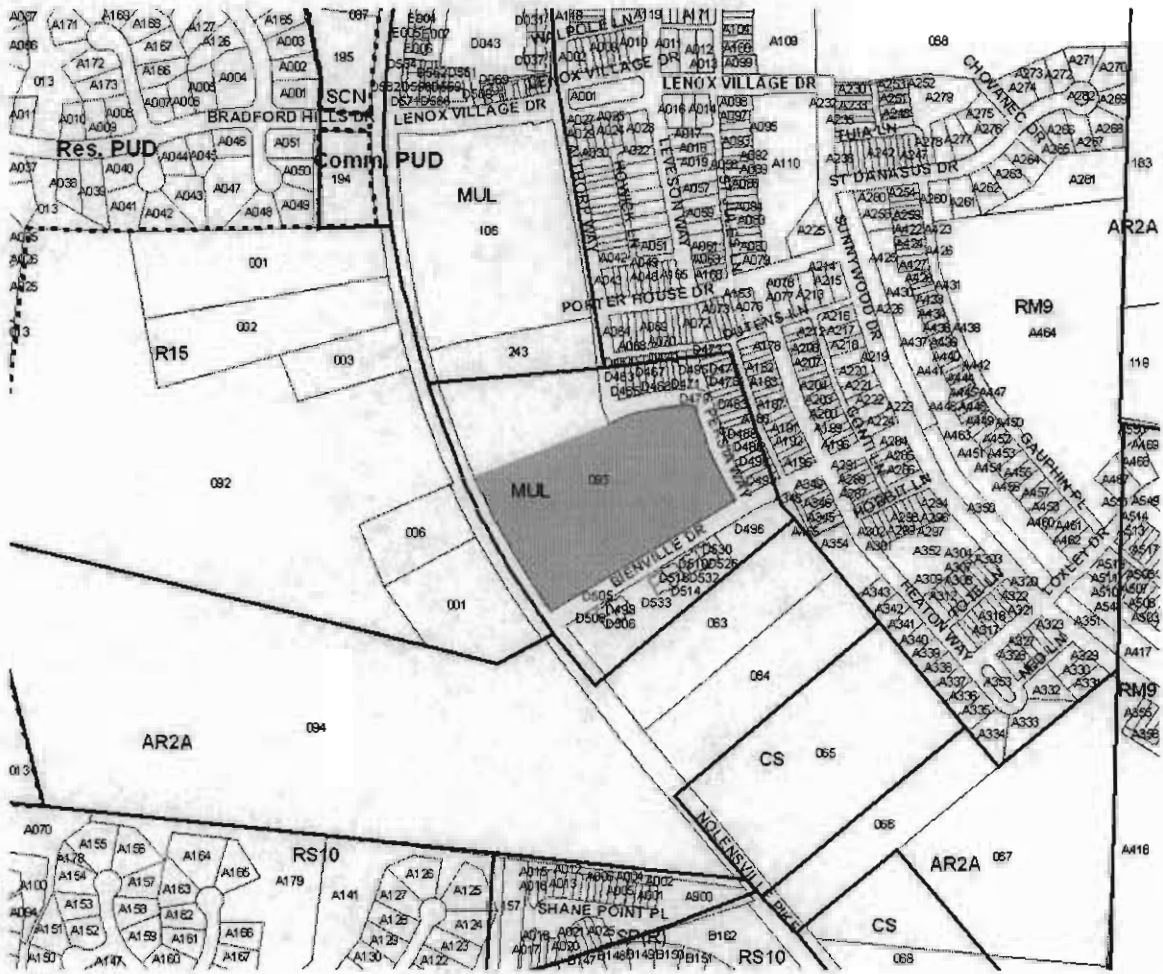
### **STAFF RECOMMENDATION**

Staff recommends that the request be approved.



# **PLANNING COMMISSION ACTIONS**

- **Urban Design Overlay (Final)**
- **PUD (Final)**



**2005UD-007-001**  
 LENOX VILLAGE, PH 3  
 Map 172, Part of Parcel(s) 093  
 Southeast  
 31 - Fabian Bedne



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

**Lenox Village UDO 2005UD-007-001**  
**Lenox Village UDO Final Site Plan Approval**  
31 – Bedne  
2 - Brannon  
Gary Batson, Batson & Associates applicant, for Lenox Village III, LLC owner

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

Scott Morton  
*Approve with conditions*

**APPLICANT REQUEST**

**Permit 185 multi-family units**

**Final Site Plan**

**A request for final site plan approval for a portion of the Lenox Village Urban Design Overlay District located on a portion of property at 6130 Nolensville Pike, at the northeast corner of Nolensville Pike and Bienville Drive (8.39 acres), zoned MUL, to permit the development of 185 multi-family dwelling units within eight buildings, a swimming pool and to extend the right-of-way for Persia Way.**

**LAND USE POLICY**  
NG District

Neighborhood General is intended for areas that are primarily residential in character.

**APPLICATION DETAILS**

The applicant has requested final site plan approval to permit the development of 185 multi-family dwelling units within eight buildings and a swimming pool within the Lenox Village Urban Design Overlay (UDO). The request also includes the extension of the right-of-way for Persia Way along the northern edge of the property.

The majority of the development is designed in accordance with the UDO requirements. A modification is requested to exceed the required build-to-zone per the UDO for buildings A,D, E, and H.

Buildings fronting Nolensville Pike are required to be built between 5 feet and 20 feet of the property line and all other buildings have a build-to-zone between 5 feet and 10 feet. An existing 20 foot drainage easement prevents the development of buildings A and H within the required build-to-zone. The building placement proposed for buildings A and H starts behind the existing easement, approximately 50 feet from the property line, exceeding the maximum build-to-zone set forth in the UDO. Buildings D and E are setback 23 to 28 feet from the

THIS IS PROVISIONAL PLAN FOR  
2007 BIDDING DOCUMENT

LEGEND

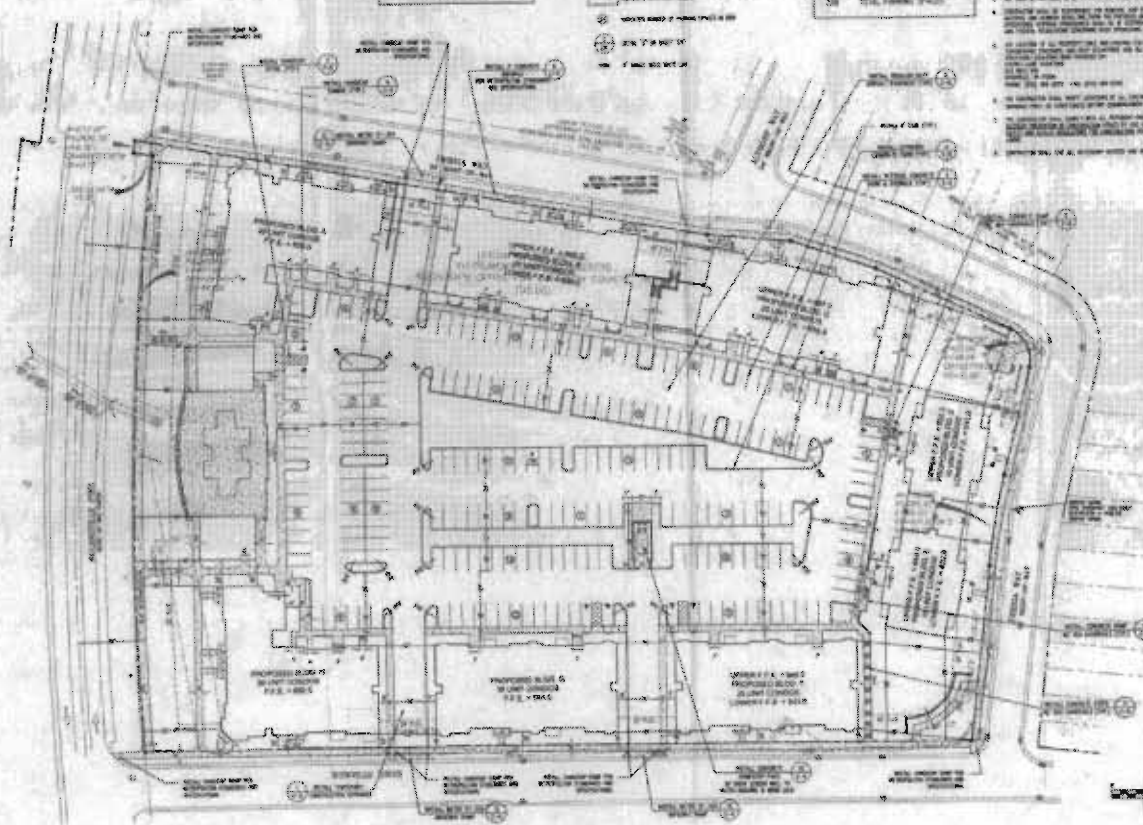
- EXISTING DRIVEWAY
- EXISTING DRIVEWAY
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- EXISTING DRIVEWAY
- EXISTING DRIVEWAY

PARKING SUMMARY

- 232 REGULAR PARKING SPACES
- 17 ACCESSORY PARKING SPACES
- 239 TOTAL PARKING SPACES

NOTES

1. GENERAL NOTES ARE TO BE READ IN ORDER FROM TOP TO BOTTOM.
2. THIS PLAN SHOWS THE PROPOSED PARKING SPACES AND DRIVEWAYS.
3. ALL DIMENSIONS ARE IN FEET AND INCHES.
4. THE TOTAL NUMBER OF PARKING SPACES IS 239.
5. THE TOTAL NUMBER OF ACCESSORY PARKING SPACES IS 17.
6. THE TOTAL NUMBER OF TOTAL PARKING SPACES IS 239.
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## Metro Planning Commission Meeting of 09/22/2011

property line exceeding the maximum build-to-zone set forth in the UDO. The modification is requested due to the existing steep topography of the site and the need to provide an at-grade building entrance at the rear of the property for handicap accessibility. Staff finds these modifications are appropriate and necessary due to the existing site constraints, preventing the buildings from being located within the required build-to-zone.

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### PUBLIC WORKS COMMENTS

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. Grading adjacent to Nolensville sidewalk shall not exceed 3:1 slope.
3. Prior to the issuance of building permits, the developer shall conduct a signal warrant analysis for the Nolensville Road and Bienville Road intersection. 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. The results of this analysis may require revisions to the development plan and amendment of the final site plan.

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### STAFF RECOMMENDATION

Staff recommends approval with conditions of the request as the proposed development meets the goals and objectives set forth in the Lenox Village Urban Design Overlay.

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### CONDITIONS

1. Prior to the issuance of building permits, the developer shall conduct a signal warrant analysis for the Nolensville Road and Bienville Road intersection. 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. The results of this analysis may require revisions to the development plan and amendment of the final site plan.
2. Grading between public streets and building frontage shall not include a landscaped "berm" or graded raised



## Metro Planning Commission Meeting of 09/22/2011

area that restricts the view of the building frontages from public streets.

3. The number, location, and spacing of sidewalk connections and building entrances as displayed on the building elevations submitted to the Planning Department on September 15, 2011, shall be reflected on the final site plan before final approval.

**SEE NEXT PAGE**



**2003P-010-002**  
 JARDIN DE BELLE (REV. LOTS 5 & 6)  
 Map 130-13-0-A, Parcel(s) 005-006  
 West Nashville  
 34 - Carter Todd





<b>Project No.</b>	<b>Planned Unit Development 2003P-010-002</b>
<b>Project Name</b>	<b>Jardin de Belle</b>
<b>Council District</b>	34 – Todd
<b>School District</b>	8 – Hayes
<b>Requested by</b>	Jesse Walker Engineering, applicant, for Fortuna Partners LLC, owners
<b>Staff Reviewer</b>	Johnson
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**APPLICANT REQUEST**

**Reduce overall number of lots from 28 to 27**

**Revise Preliminary PUD and Final Site Plan**

**A request to revise the preliminary plan and for final site plan approval for a portion of the Jardin de Belle Planned Unit Development Overlay District on properties located at 620 and 624 Belle Park Circle, on the north side of Forrest Park Drive, zoned One and Two Family Residential (R8) (0.26 acres), to consolidate Lots 5 and 6 into one lot, reducing the overall number of lots in the development from 28 to 27.**

**CRITICAL PLANNING GOALS**

N/A

**PLAN DETAILS**

The Jardin de Belle PUD is located off Page Road adjacent to Warner Park. It was approved originally in 2003 for 34 single-family lots. Several lots have been consolidated and the PUD currently includes 28 lots.

This preliminary PUD revision proposes to consolidate two existing lots into one lot. Lots 5 and 6 in the northeastern corner of the subdivision would become one lot with the proposed PUD revision and subsequent subdivision request.

Consolidation of these lots will not impact conditions of approval of the original PUD approval or the variances granted by the Board of Zoning Appeals for building setbacks, lot size, building coverage, and buffer yard requirements. Each individual building permit plan will still need to meet the original requirements of the PUD approved by the Metro Council.

**PUBLIC WORKS RECOMMENDATION**

No exception taken





## Metro Planning Commission Meeting of 09/22/2011

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### STORMWATER RECOMMENDATION

Jardin De Belle, lots 5 and 6, are approved.

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### STAFF RECOMMENDATION

Staff recommends approval of the preliminary PUD revision and final site plan with conditions. The proposed changes are consistent with the approved PUD plan.

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### CONDITIONS

1. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.
2. 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.
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 Stormwater Management division of Water Services.
4. 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.
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

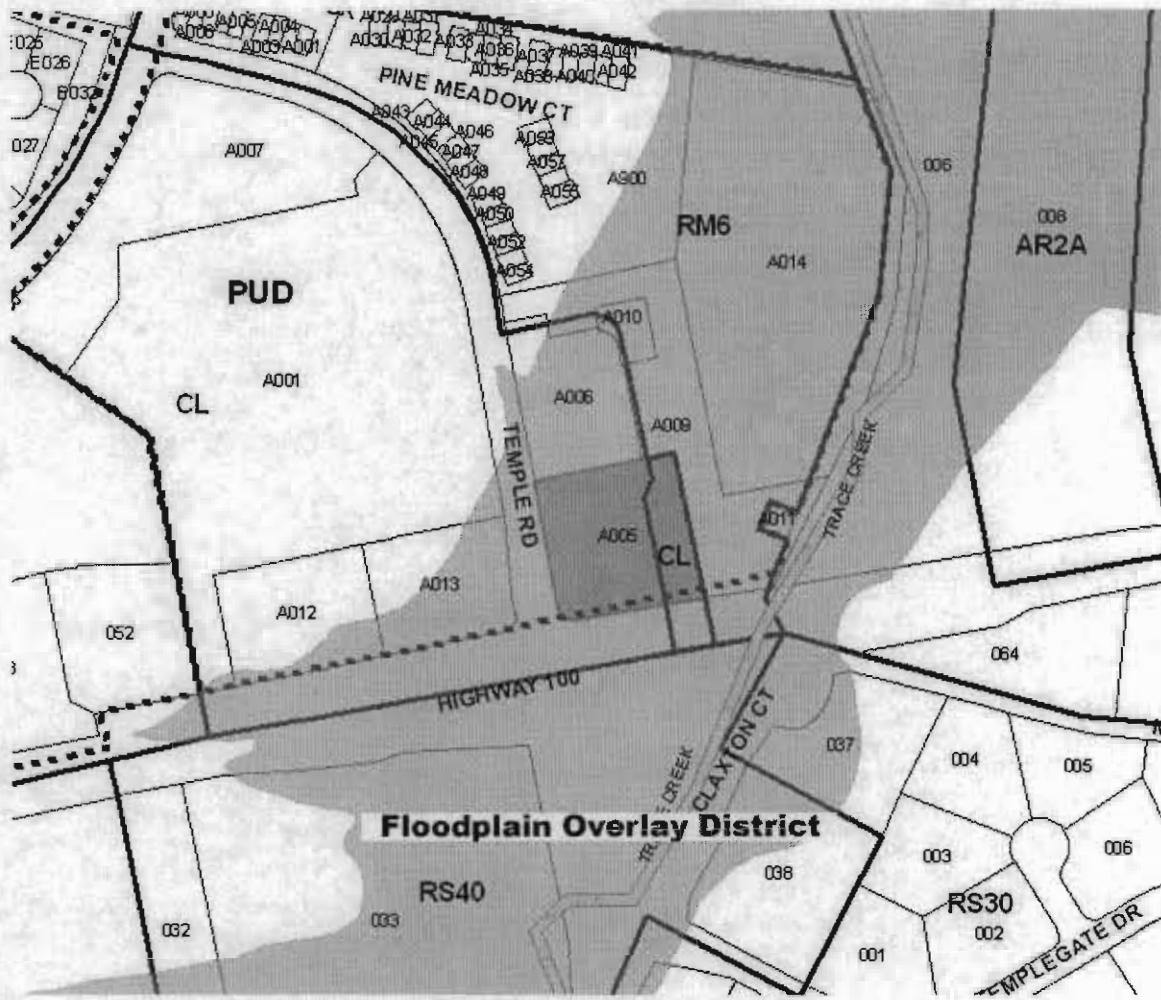


## Metro Planning Commission Meeting of 09/22/2011

require reapproval by the Planning Commission and/or Metro Council.

7. This PUD revision shall comply with all conditions of Metro Council bill: BL2003-91.

**SEE NEXT PAGE**



**2005P-008-002**  
 HARPETH VILLAGE (OUTPARCEL 5)  
 Map 156-09-0-A, Parcel(s) 005  
 Bellevue  
 35 - Bo Mitchell



<b>Project No.</b>	<b>Planned Unit Development 2005P-008-002</b>
<b>Project Name</b>	<b>Harpeth Village (Outparcel 5)</b>
<b>Council District</b>	35 – Mitchell
<b>School Board District</b>	9 – Simmons
<b>Requested By</b>	Dale & Associates, applicant, for Rite Aid of Tennessee Inc., owner
<b>Staff Reviewer</b>	Swaggart
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**APPLICANT REQUEST**

**Permit the development of an auto convenience facility**

**Revise Preliminary Plan**

A request to revise the preliminary plan for a portion of the Harpeth Village Commercial Planned Unit Development Overlay located at 7996 Highway 100, at the northeast corner of Temple Road and Highway 100 (1.32 acres), zoned Commercial Limited (CL) and within Floodplain Overlay District (FO), to permit the development of a 4,167 square foot automobile convenience facility with 10 fuel islands and a drive-thru window, replacing 11,157 square feet of previously approved retail uses.

**Existing Zoning**

Commercial Limited (CL)

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

**Floodplain Overlay District (FO)**

The 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 revision will not remove this property from the FO.**

**PLAN DETAILS**

This is a request to revise the last approved preliminary plan for an undeveloped outparcel (Outparcel 5) in the Harpeth Village Planned Unit Development. The PUD is located along the north side of Highway 100 just east of the intersection of Old Harding Pike and Highway 100. Outparcel 5 is located at the northeast intersection of Temple Road and Highway 100.

Outparcel 5 was last approved for an 11,157 square foot retail store (Rite-Aid). The final site plan for the Rite-Aid







## Metro Planning Commission Meeting of 09/22/2011

### Site Plan

was approved in 2007. While a final site plan has been approved the site remains vacant.

The proposed site plan calls for a 4,167 square foot automobile convenience market with a drive-thru, and includes ten covered fuel islands. The building is closer to the northern property line while the canopy is closer to Highway 100. Access is proposed from two locations onto Temple Road – one existing shared drive along the northern property line (shared with Advance Auto Parts) and a new drive south of the existing drive. Landscaping is provided along the perimeter of the site as well as within the site.

### Analysis

While Outparcel 5 was not originally approved for automobile convenience, this use is permitted by the underlying CL base zoning district. A fuel station for the Publix was also previously approved in 2008. Since the proposed use is permitted under the base zoning district and a similar use was previously approved in the PUD, staff finds that the request is consistent with the Council approved plan. As proposed the plan also meets all zoning requirements.

### PUBLIC WORKS RECOMMENDATION

The developer's construction drawings shall comply with the design regulations established by the Department of Public Works. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Final design may vary based on field conditions.

*Additional traffic and access comments may be forthcoming and will be presented at the meeting.*

### STORMWATER RECOMMENDATION

Approved

### STAFF RECOMMENDATION

Staff recommends approval with conditions. The request is consistent with the concept of the Council approved PUD, and is consistent with all zoning requirements.

### CONDITIONS

1. All applicable requirements of BL2005-611 and BL2007-1340 must be satisfied including the requirements for monument signage.
2. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water



## Metro Planning Commission Meeting of 09/22/2011

supply for fire protection must be met prior to the issuance of any building permits.

3. 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.
4. Prior to any additional development applications for this property, and in no event later than 120 days after the date of conditional approval by the Planning Commission, the applicant shall provide the Planning Department with a corrected copy of the preliminary PUD plan. Failure to submit a corrected copy of the preliminary PUD within 120 days will void the Commission's approval and require resubmission of the plan to the Planning Commission.