



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Lindsley Hall
730 Second Avenue South
Nashville, Tennessee 37201

**Minutes
Of the
Metropolitan Planning Commission
August 28, 2003**

Place: Auditorium, Howard School Office Building

Time: 4:00 p.m.

PLANNING COMMISSION:

James Lawson, Chairman
Doug Small, Vice Chairman
Stewart Clifton
Judy Cummings
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Councilman John Summers
Joe Sweat, representing Mayor Bill Purcell

Staff Present:

Richard Bernhardt, Executive Director
Ann Hammond, Asst. Director
David Kleinfelter, Planning Manager II
Brook Fox, Legal Counsel
Trish Brooks, Administrative Assistant
Marie Cheek, Planning Technician I
Adrian Bond, Planner II
Kathryn Fuller, Planner II
Bob Leeman, Planner III
Preston Mitchell, Planner II
Abby Scott, Planner I
Chris Wooton, Planning Technician I
Marty Sewell, Planner II

Commission Members Absent:

Councilman John Summers
Stewart Clifton

I. CALL TO ORDER

The meeting was called to order at 4:03.

II. ADOPTION OF AGENDA

Ms. Nielson moved, and Mr. McLean seconded the motion, which unanimously passed, to adopt the agenda. (7-0)

III. RECOGNITION OF COUNCILMEMBERS

No Metro Councilmembers sought recognition to speak to the Commission.

IV. PUBLIC HEARING: ANNOUNCEMENT OF DEFERRED AND WITHDRAWN ITEMS

9. 2003M-093U-12 – Close an abandoned street at the end of Trousdale Drive – Deferred to September 25, 2003 meeting.

Ms. Nielson moved, and Mr. McLean seconded the motion, which passed unanimously, to defer the announced item. (7-0)

V. PUBLIC HEARING: CONSENT AGENDA

ZONING MAP AMENDMENTS

2. 2003Z-104U-14 R10 to CS, Donelson Pike (unnumbered), southern terminus of Upshaw Dr. -- Approve with conditions

PLANNED UNIT DEVELOPMENTS (revisions)

5. 95P-019G-13 Provincetown – Phases 1 and 2, east of Old Franklin Rd., south of Mt. View Rd. -- Approve with conditions

MANDATORY REFERRALS

7. 2003M-090U-10 Green Hills Subdivision Sewer Line Abandonment and Relocation --Approve
8. 2003M-091U-13 Rename part of McCrory Rd. to Couchville Pk. -- Approve

Ms. Nielson moved, and Mr. McLean seconded the motion, which passed unanimously, to approve the consent agenda. (7-0)

VI. OTHER BUSINESS

- a. Executive Director Reports
- b. Legislative Update

VII. PUBLIC HEARING: ZONING MAP AMENDMENTS

1. **2003Z-100U-12**
Map 160, Parcels 81, 83 and 84
Subarea 12 (1997)
District 31 (Knoch)

A request to change from RM4 district to RM6 district properties at 5606 Cloverland Drive, Old Hickory Boulevard (unnumbered), and 675 Old Hickory Boulevard, abutting the southeast margin of Cloverland Drive and Old Hickory Boulevard, (3.76 acres), requested by Daniel C. Burton (appellant) and Wayne Whithurst, owners.

Staff Recommendation - Approve

APPLICANT REQUEST

Rezone 3.76 acres from residential multi-family (RM4) to residential multi-family (RM6) district property at 5606 Cloverland Dr., Old Hickory Blvd. (unnumbered) and 675 Old Hickory Blvd.

Existing Zoning

RM4 district - RM4 is intended for single-family, duplex, and multi-family dwellings at a density of 4 dwelling units per acre.

Proposed Zoning

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

SUBAREA 12 PLAN POLICY

Residential Medium (RM) - RM policy is generally intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Area 4F - “This RM policy area is located south of Old Hickory Boulevard between Oakes Drive on the west and the Townhomes of Fredericksburg on the east. This area contains approximately 20 acres. The density of developments within this area is to be limited to six dwelling units per acre.”

Policy Conflict - No. The proposed zoning district (RM6) is consistent with the RM policy and the Area 4F guideline adopted by the Planning Commission on August 31, 2000. The Subarea 12 Plan indicates that no more than 6 units per acre should be permitted in this area. This application is consistent with the policy guidelines and the surrounding development pattern.

RECENT REZONINGS -Yes. The Commission approved a zone change on this property from R40 to RM4 in December 2001. The Commission also approved a zone change from R40 to RM4 in October 2001 for property across Cloverland Drive.

TRAFFIC - Based on the trip generation numbers for residential multi-family (RM6), this proposal will generate 132 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works’ Recommendation - Trip generations will possibly be comparable, but can not be determined without final development plan. Therefore, Public Works recommendation is: “With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.”

SCHOOLS **2 Elementary 1 Middle 1 High**

Schools Over/Under Capacity - Students would attend Granbery Elementary, Oliver Middle School* and Overton High School. Granbery and Overton have been identified as being overcrowded by the Metro School Board. This information is based upon 2003-04 data from the school board.

*Oliver Middle School is in design. This school will open in 2004.

Ms. Bond stated that staff recommends approval.

Mr. Steve Diggs, a representative of the neighborhood, submitted a petition from the neighborhood, to the Commission. The petition stated that the neighborhood is in favor of the proposed development.

Ms. Nielson moved and Mr. McLean seconded the motion to approve the staff recommendation. **(7-0)**

Resolution No. 2003 –306

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-100U-12 is **APPROVED. (7-0)**

The proposed RM6 district is consistent with the Subarea 12 Plan’s Residential Medium (RM) policy calling for residential development within a density range of four to nine dwelling units per acre. However, the Subarea 12 Plan specifically limits development in this area to six dwelling units per acre.”

2. **2003Z-104U-14**
 Map 108, Parcel 162
 Subarea 14 (1996)
 District 15 (Loring)

A request to change from R10 to CS district property at Donelson Pike (unnumbered) located at the southern terminus of Upshaw Drive, at the northwest corner of Donelson Pike and I-40, (3.31 acres), requested by Herb Ruck for Park-N-Fly, applicant, for James Gover and C. O. Turner, owners.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Rezone 3.31 acres from residential (R10) to commercial service (CS) district property at the end of Upshaw Drive.

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. R10 would allow 12 lots with 25% of those lots used for duplexes (15 total units).

Proposed Zoning

CS district-Commercial Service is intended for retail, consumer service, financial, restaurant, office, auto-repair, auto sales, self-storage, light manufacturing and small warehouse uses.

SUBAREA 14 PLAN POLICY

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.

Area 12D - “The portion of this area on the west side of Donelson Pike is in the 1993 airport noise-related contours and will be just outside of the forecasted 2015 contours. It is also a former residential area that has slowly been undergoing transition to commercial use. Unless a consolidated redevelopment effort becomes feasible, gradual piecemeal transition of this area is expected to continue.”

Policy Conflict - No. The proposed zoning district (CS) is consistent with the CMC policy. It is also consistent with the development pattern of the area.

RECENT REZONINGS - Yes. The adjacent property was rezoned from R10 to CL in 1998 with the overall zoning update for the county. The Planning Commission also recommended approval of several other requests for CS along Claridge Drive in 1998 and 1999.

TRAFFIC - Upshaw Drive is currently a residential street and should not have access to this property until this area is predominantly commercial. In addition, access is from Claridge Drive on the east side. No connection to the west portion of Claridge Drive should be made because that road leads to existing residential.

Based on the trip generation numbers for commercial services (CS), this proposal will generate between 389 to 6,233 trips for commercial uses ranging from a park-and-ride lot with bus service to a shopping center (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works’ Recommendation - No Exceptions Taken

CONDITIONS

- 1. There should be no access to Upshaw Drive until the street has predominantly transitioned to commercial. Currently, Upshaw Drive is a residential street. This condition should be included in any Council Bill filed to enact the requested zone change.

Approved with conditions (7-0), Consent Agenda

Resolution No. 2003 –307

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-104U-14 is **APPROVED WITH CONDITIONS. (7-0)**”

Conditions of Approval:

- 1. There should be no access to Upshaw Drive until the street has predominantly transitioned to commercial. Currently, Upshaw Drive is a residential street. This condition should be included in any Council Bill filed to enact the requested zone change.

The proposed CS district is consistent with the Subarea 14 Plan’s Commercial Mixed Concentration (CMC) policy calling for 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. Gradual piecemeal transition is expected to continue based on its proximity to the airport, Interstate 40, and Donelson Pike. The approval is conditioned upon there being no access to Upshaw Drive or the

west portion of Claridge Drive until this area has transitioned to predominantly commercial usage. Upshaw Drive and the western portion of Claridge Drive are residential streets currently.”

VIII. FINAL PLATS

3. **2002S-255G-04**
Fillmore Place
Map 42-08, Parcel 18
Subarea 4 (1998)
District 3 (Nollner)

A request for final plat approval for six lots abutting the north margin of Nesbitt Lane with a sidewalk variance, approximately 215 feet east of Grayland Drive, (2.77 acres), classified within the R10 district, requested by W. J. and Cleo Fillmore, owners/developers, Tommy Walker, surveyor.

Staff Recommendation - *Approve with conditions, with a recommendation to disapprove a request for a sidewalk variance.*

APPLICANT REQUEST

Final Plat - Subdivide 2.77 acres into a 6-lot subdivision, located on the north margin of Nesbitt Lane, approximately 215 east of Grayland Drive.

ZONING

R10 District - R10 district allows duplex and single-family lots and requires a minimum lot size of 10,000 square feet. This plat proposes no duplex lots.

SUBDIVISION DETAILS - A preliminary plat was approved for this project on March 20, 1997. That approval expired two years later. Since no new street is being proposed, a preliminary plat is not required. The proposed lots pass comparability for lot area and frontage.

SIDEWALK

Variance Request - The applicant has requested a sidewalk variance. The request notes that there are no sidewalks in this area of Nesbitt Lane and that the construction of curb, gutter and drainage for this small section would be cost prohibitive. Sidewalks were not required in 1997 when the original preliminary plat was approved.

Constructability Report - Pavement widening is not required to construct sidewalks in this location. Curb, gutter and driveway ramps are required to accommodate the ST-210 standard sidewalk. One drainage culvert would likely be required to accommodate the sidewalk. Sidewalks are buildable at this site.

Planning Staff Recommendation - In making a recommendation to the Planning Commission, staff reviews the criteria outlined in the Metro Subdivision Regulations. Staff found that:

1. The conditions upon which the request for this variance is based are not unique to the subject property.
2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, staff does not believe that a particular hardship to the owner would result, as distinguished from a mere inconvenience.

STORMWATER - A stormwater appeal was granted to waive the requirements for grading and drainage plans with the condition that the graded/disturbed area of each lot not exceed 5,000 square feet. The remainder of each lot must be kept undisturbed or a grading plan must be approved prior to construction.

CONDITIONS

1. Prior to recording sewer construction plans must receive final approval and a bond must be posted. The plat will need revision to include the soon to be approved sanitary alignment.
2. A 20' Public Utility and Drainage Easement shall be shown across the rear of this property instead of 10'.
3. NES approval shall be submitted prior to recording.
4. The Stormwater Appeal note needs to reference the case number, 2003-38.
5. The shaded areas of the lots need to be labeled as "areas to be graded" so that they are not mistaken for building envelopes.
6. Sidewalk construction plans must be reviewed and approved by Public Works prior to final plat recordation. A sidewalk bond must be posted prior to final plat approval. The sidewalk must also be shown on the final plat to be recorded.

Mr. Leeman stated that staff is recommending approval with conditions, along with the recommendation to disapprove the request for a sidewalk variance.

Ms. Nielson moved and Mr. McLean seconded the motion of staff recommendation to approve with conditions, but disapprove the request of the sidewalk variance. (7-0)

Resolution No. 2003 –308

“BE IT RESOLVED by the Metropolitan Planning Commission that Final Subdivision No. 2002S-255G-04 is **APPROVED WITH CONDITIONS, BUT THE REQUESTED SIDEWALK VARIANCE IS DISAPPROVED.** (7-0)

Conditions of Approval:

1. Prior to recording sewer construction plans must receive final approval and a bond must be posted. The plat will need revision to include the soon to be approved sanitary alignment.
2. A 20’ Public Utility and Drainage Easement shall be shown across the rear of this property instead of 10’.
3. NES approval shall be submitted prior to recording.
4. The Stormwater Appeal note needs to reference the case number, 2003-38.
5. The shaded areas of the lots need to be labeled as “areas to be graded” so that they are not mistaken for building envelopes.
6. Sidewalk construction plans must be reviewed and approved by Public Works prior to final plat recordation. A sidewalk bond must be posted prior to final plat approval. The sidewalk must also be shown on the final plat to be recorded.”

IX. PLANNED UNIT DEVELOPMENTS (revisions)

4. **126-74-G-01**
Joelton Post Office Commercial PUD
Map 22, Parcel 27
Subarea 1 (1997)
District 1 (Gilmore)

A request to cancel a portion of the undeveloped Commercial Planned Unit Development located abutting the corner of Whites Creek Pike and Union Hill Road, classified CL, (2.82 acres), leaving only the U.S. Post Office on the remaining portion of the Commercial PUD, requested by Bruce Rainey & Associates, for Patricia Sanders, owner.

Staff Recommendation - *Approve*

APPLICANT REQUEST

Cancel PUD - Cancel a portion of the Joelton Post Office commercial PUD, located along the east side of Whites Creek Pike, north of Old Clarksville Pike.

DETAILS OF REQUEST

History - The approved preliminary PUD plan allowed for the development of a larger post office on the southern portion of parcel 27 and all of parcel 25 and additional commercial retail on the northern portion of parcel 27.

The larger portion of the PUD along Whites Creek Pike was never developed and has remained vacant. The post office that was constructed was smaller than originally planned and was able to fit entirely on parcel 25 along Union Hill Road.

Proposed Plan - The current applicant is seeking this PUD cancellation because of a requested resubdivision of parcel 27 along Whites Creek Pike. The current zoning district of CL supports limited commercial uses, and the applicant wants to subdivide the property into three developable commercial lots with frontage on Whites Creek Pike.

The developed portion of the PUD, the Joelton Post Office, will remain within the PUD, which will be limited only to parcel 25 along Union Hill Road.

Recommendation - Staff recommends approval of the PUD cancellation since there has been no attempt to develop the PUD in the last 19 years. The future subdivision of the commercial property provides greater opportunity for development for the property owner.

Mr. Mitchell stated that staff is recommending approval.

Mr. Joe Smith, 7174 Whites Creek Pike, stated he was against the proposed changes to this area.

Ms. Nielson, questioned the PUD and the specific uses.

Mr. Sweat asked for clarification on the zoning of the property and its future uses.

Mr. Small asked for clarification on the CL uses.

Mr. Bernhardt explained that the existing CL zoning and the existing PUD would allow largely the same land uses.

Ms. Nielson moved and Mr. McLean seconded the motion of staff recommendation to approve. **(7-0)**

Resolution No. 2003 –309

“BE IT RESOLVED by the Metropolitan Planning Commission that PUD Proposal No. 126-74-G-01 is **APPROVED. (7-0)**”

5. **95P-019G-13**
Provincetown – Phases 1 and 2
Map 163, Parcel 154
Map 164, Part of Parcel 13
Subarea 13 (2003)
District 29 (Holloway)

A request for a revision to the preliminary plan and for final approval for Phases One and Two of the Residential Planned Unit Development located abutting the east margin of Old Franklin Road, south of Mt. View Road, classified RM15, (18.48 acres), to permit the development of 152 Townhouse units, approved for 152 Townhouse units, requested by Wamble and Associates, for Centex Homes, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Revision to Preliminary/Final PUD - This is a request to revise the Phase 1 portion of the preliminary plan and for final PUD approval for Phase 1 and Phase 2 of the Provincetown PUD, which will allow for the development of 76 townhouse units per phase, for a total of 152 units, on a total of 18.48 acres. Phase 1 extends east of Old Franklin Road north of the railroad tracks while Phase 2 ties directly into Cedar Ash Crossing to the north. Both phases will be joined via the proposed roundabout that is centrally located within the PUD.

TRAFFIC

The Metro Traffic Engineer submitted a number of comments – most of which have been successfully met or addressed during the plan review process. A couple of the highlighted conditions are as follows:

- A signage plan needs to be submitted for the traffic circle operation.
- Roads must be denoted as public or private.

Metro Public Works and the Planning Department met with the applicant during the review process to discuss the proposed roadway cross-sections. The final PUD plans, as submitted, did not match the Council-approved

preliminary plan that provided for formal on-street parking and narrower lane widths. During the review, Public Works and Planning have agreed that the preliminary-approved cross sections would be provided so long as certain vehicles, including a 60-passenger school bus and a fire truck, could negotiate the corner radii.

PLAN DETAILS

Phase 1 - The plan for Phase 1 has been revised slightly to meet the Metro Stormwater Management requirements. However, the plan for Phase 1 is still consistent with the concept approved by the Metro Council. The council approved an amended plan in January of 2003. The plan proposes 76 townhouse units that mostly front a boulevard with on-street parking and a landscaped median. There are stub streets emanating from the boulevard that will provide interconnected access to future development outside the PUD or additional phases within the PUD. The boulevard extends east of Old Franklin Road and joins a roundabout that directs traffic in four directions. The northern end of the roundabout will connect to Cedar Ash Crossing, which is phase 2 of the PUD.

Phase 2 - This final PUD plan matches the new preliminary PUD plan as well. This plan proposes 76 townhouse units as well – all of which front one of four new roadways proposed for phase 2. This phase extends Cedar Ash Crossing from the roundabout north into the existing Cedar Ash Crossing local road. In addition, three new roads, perpendicular to Cedar Ash Crossing, will help create the grid system of blocks. As with phase 1, all the roadways within phase 2 propose on-street parking in addition to the parking located to the rear of all townhouse units.

CONDITIONS

1. Phase 1 of the Provincetown PUD shall be developed in accordance with the revised preliminary PUD plan, as prepared by Wamble & Associates, PLLC, Job No. 336-0102. Phase 2 of this PUD shall be developed in accordance with the approved preliminary PUD plan, dated October 28, 2002, as prepared by Wamble & Associates, PLLC, Job No. 336-0102, and approved by the Metro Council on January 22, 2003.
2. Prior to the issuance of any grading or building permits, Metro Water Services shall approve all permanent retention areas. Retention areas shall generally remain wet and be designed in such a way as to minimize stagnation of the water so as to prevent insect infestations.
3. Active tot lot facilities were proposed on the approved preliminary plan. Since pocket parks with lakes are proposed in phase 1 instead of the tot lot, active tot lot facilities shall be provided in conjunction with the future child care site. In phase 2, active tot lot facilities shall be provided at the northwest corner of Cedar Ash Crossing and Isabelle Lane adjacent to the proposed detention facility. If it is found that there is not adequate room for the tot lot facilities, some other form of active use open space amenity shall be provided.
4. Since landscaping is proposed within the median of Monroe Crossing, curbing shall be provided so as to minimize erosion and damage to the median from vehicles.
5. No grading, excavating, stripping, filling, clearing, or other disturbance of the natural ground cover shall take place prior to approval of an erosion control plan.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
9. These plans 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 will require reapproval by the Planning Commission.
10. A final plat must be recorded before the issuance of any building permits.
11. Prior to the issuance of the final Use and Occupancy permit for each phase, the applicant must execute the Metro Landscape Maintenance Agreement as required by Metro Public Works.

Approved with conditions (7-0), Consent Agenda

Resolution No. 2003 –310

“BE IT RESOLVED by the Metropolitan Planning Commission that PUD Proposal No. 95P-019G-13 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Phase 1 of the Provincetown PUD shall be developed in accordance with the revised preliminary PUD plan, as prepared by Wamble & Associates, PLLC, Job No. 336-0102. Phase 2 of this PUD shall be developed in accordance with the approved preliminary PUD plan, dated October 28, 2002, as prepared by Wamble & Associates, PLLC, Job No. 336-0102, and approved by the Metro Council on January 22, 2003.
2. Prior to the issuance of any grading or building permits, Metro Water Services shall approve all permanent retention areas. Retention areas shall generally remain wet and be designed in such a way as to minimize stagnation of the water so as to prevent insect infestations.
3. Active tot lot facilities were proposed on the approved preliminary plan. Since pocket parks with lakes are proposed in phase 1 instead of the tot lot, active tot lot facilities shall be provided in conjunction with the future child care site. In phase 2, active tot lot facilities shall be provided at the northwest corner of Cedar Ash Crossing and Isabelle Lane adjacent to the proposed detention facility. If it is found that there is not adequate room for the tot lot facilities, some other form of active use open space amenity shall be provided.
4. Since landscaping is proposed within the median of Monroe Crossing, curbing shall be provided so as to minimize erosion and damage to the median from vehicles.
5. No grading, excavating, stripping, filling, clearing, or other disturbance of the natural ground cover shall take place prior to approval of an erosion control plan.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
8. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
9. These plans 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 will require reapproval by the Planning Commission.
10. A final plat must be recorded before the issuance of any building permits.
11. Prior to the issuance of the final Use and Occupancy permit for each phase, the applicant must execute the Metro Landscape Maintenance Agreement as required by Metro Public Works."

- 6. 95P-026U-14**
 Pennington Villas (formerly Brookwood Meadows)
 Map 52, Parcel 8
 Map 62, Parcel 1
 Subarea 14 (1996)
 District 15 (Loring)

A request to revise the preliminary plan and for final approval of the undeveloped Residential Planned Unit Development district located abutting the north margin of Pennington Bend Road and the west margin of Lock Two Road, classified R15, (8.6 acres), to permit 42 condominium units, replacing a 19 unit assisted living facility, 21 townhomes, and 1 single-family lot, and where the original preliminary PUD plan was approved for 42 townhomes and 1 single-family lot, requested by Dale and Associates, for V. M. Baker, owner.

Staff Recommendation -*Approve with conditions*

APPLICANT REQUEST

Revise Preliminary and Final - A request to revise the preliminary plan of the Residential PUD district to permit 42 condominium units in 9 buildings, replacing a 19 unit assisted-living facility, 21 townhomes, and 1 single-family lot.

Proposed Zoning

R15/Res. PUD - This is a "grandfathered" PUD with a base zoning of R15. The plan was approved under the prior Zoning Code that did not require the base zoning to be consistent with the uses proposed on the plan. The Metro Council adopted a PUD overlay in 1995, with 42 townhomes and 1 single-family lot. The PUD was revised by the Planning Commission in 1999 to allow 19 assisted-living units and 21 townhomes. The current revision returns the plan to what the Council originally approved.

PLAN DETAILS - The proposed plan includes one driveway onto Pennington Bend Road and one driveway onto Lock Two Road, as was approved by the Metro Council. No off-site road improvements are required.

This proposal also includes an off-site sewer line within an existing easement.

TRAFFIC - The proposed 42 condominium units could generate approximately 246 trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works' Recommendation - Revise plan to add ST-314 concrete driveway ramps at both entrances and widen grass strip as necessary within the ROW between sidewalk and curb to avoid meandering the sidewalk along Pennington Bend Road. Sidewalk along Pennington Bend must be built with a uniform width of the grass strip.

CONDITIONS

1. Prior to the issuance of any building permits, a final plat must be recorded, including any necessary bonds for public improvements.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
3. All individual driveways shall include at least 20 feet between the sidewalk and garage door, not counting the sidewalk area.
4. Final plat shall identify the required landscape buffer yards along PUD boundary using the equivalent zone district "RM6" to R15.
5. Revise plan to add ST-314 concrete driveway ramps at both entrances.
6. Widen grass strip as necessary within the ROW between sidewalk and curb to avoid meandering the sidewalk along Pennington Bend Road. Sidewalk along Pennington Bend must be built with a uniform width of the grass strip.

Mr. Leeman stated that staff recommends approval.

Ms. Ginger Paul, a resident, stated that she is against the proposal due to additional traffic congestion that would be generated and that Pennington Road cannot absorb the additional traffic.

Ms. Laura Early, 2509 Pennington Bend, also spoke against the proposed development due to the additional traffic that would inhibit Pennington Road. Ms. Early also stated that there are already too many developments in the area.

Ms. Tonya Jones arrived at 4:32

Mr. Wes Sullenger, spoke against the project due to the capacity of the roads as well as the additional traffic. He also mentioned that the Army Corp of Engineers found an exotic bird that lives in the area of development and that there should be an environmental study completed before they begin this project

Ms. Joan Peay, 2746 Riverbend Drive, spoke against the proposal.

Mr. Emerson Eubanks, 2443 Pennington Bend Road, spoke against the proposal due to the traffic and the speed they would be traveling on Pennington Road.

Ms. Nina Singleton, 2517 Pennington Bend expressed her concerns regarding the project, she indicated she is in favor of the condominiums.

Mr. Roy Dale, developer, stated he is in favor of this proposal and that the land has already been approved by Council for 42 units of development.

Mr. Joe Crowell, a resident, spoke against the proposal due to the traffic that would be generated by the proposed changes. He submitted copies of a Tennessean newspaper article to the Commission members regarding Nashville population.

Mr. Sweat asked for clarification on the current status of the land and its use.

Mr. Tyler expressed concerns regarding the additional traffic that would be generated by this project whether the engineers carefully examined this issue.

Mr. Lawson also expressed concerns regarding traffic generation and he indicated that the Commission did not have a report from Public Works on this issue.

Mr. Bernhardt explained that the land has already been zoned for development back in 1995 and that the Commission was only faced with making the decision on whether the development would be zoned for assisted living quarters or townhouses.

Mr. McLean stated he is in favor of staff recommendation

Ms. Nielson also stated she is in favor of staff recommendation.

Mr. Small stated he was in favor of the 42 townhomes.

Ms. Tonya Jones stated that she feels that the issue is a technicality, and she is in favor of the staff recommendation.

Mr. McLean moved and Mr. Sweat seconded the motion of staff recommendation to approve with conditions. **(8-0)**

Resolution No. 2003 –311

“BE IT RESOLVED by the Metropolitan Planning Commission that PUD Proposal No. 95P-026U-14 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Prior to the issuance of any building permits, a final plat must be recorded, including any necessary bonds for public improvements.
2. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
3. All individual driveways shall include at least 20 feet between the sidewalk and garage door, not counting the sidewalk area.
4. Final plat shall identify the required landscape buffer yards along PUD boundary using the equivalent zone district “RM6” to R15.
5. Revise plan to add ST-314 concrete driveway ramps at both entrances.
6. Widen grass strip as necessary within the ROW between sidewalk and curb to avoid meandering the sidewalk along Pennington Bend Road. Sidewalk along Pennington Bend must be built with a uniform width of the grass strip.”

X. MANDATORY REFERRALS

7. **2003M-090U-10**
Green Hills Subdivision Sewer Line Abandonment and Relocation
Map 117-15, Parcels 111-113
Subarea 10 (1994)
District 25 (Shulman)

A request, by the Metro Department of Water & Sewerage Services, to abandon and relocate an 8-inch sewer line for Project No. 03-SL-39, located at 1632-1636 Observatory Drive, as requested by Metro Department of Water and Sewerage Services.

Staff Recommendation -Approve

APPLICANT REQUEST

A request, by the Metro Department of Water & Sewerage Services, to abandon and relocate an 8-inch sewer line for Project No. 03-SL-39, located at 1632-1636 Observatory Drive, as requested by Metro Department of Water and Sewerage Services.

APPLICATION REQUIREMENTS – None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by Nashville Electric Service and Metro Water & Sewerage Services. Planning staff supports the requested abandonment and relocation. The sewer line, requested for abandonment, runs through lot 111. The relocation will conform to the property line of lots 111 and 112.

Approved (7-0), Consent Agenda

Resolution No. 2003 –312

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-090U-10 is **APPROVED. (7-0)**”

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- 8. 2003M-091U-13**
Rename part of McCrory Road to Couchville Pike
Map 121, Parcel 87
Subarea 13 (2003)
District 13 (Derryberry)

A request to rename a section of McCrory Creek Road, a 3,000 foot section extending between Couchville Pike and an unnamed road, to "Couchville Pike", requested by the Department of Public Works.

Staff Recommendation - Approve

APPLICANT REQUEST

A request by the Assistant Director of Public Works to rename a section of McCrory Creek Road, between Couchville Pike and an unnamed road, to "Couchville Pike". There are currently two separate sections of McCrory Creek Road. This could cause problems for emergency personnel.

DEPARTMENT AND AGENCY COMMENTS

The Metro Department of Public Works has requested that this section of roadway be officially named “Couchville Pike” since it is currently in two separate sections and could potentially cause problems for emergency personnel. Public Works would like to provide the official name change designation to allow for improved E-911 and emergency service response.

The official renaming of this street can only be accomplished through an ordinance adopted by the Metro Council.

Staff supports the requested naming because it is important to clear up any discrepancies in street names that could potentially lead to life-safety problems.

Notices were sent to all property owners that directly about the affected portion of roadway.

Approved (7-0), Consent Agenda

Resolution No. 2003 –313

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-091U-13 is **APPROVED. (7-0)**”

9. **2003M-093U-12**
Close an abandoned street at the end of Trousdale Drive
Map 160, Parcel 93
Subarea 12 (1997)
District 31 (Knoch)

A request to close the unimproved northern portion of Trousdale Drive, located on the north margin of Hill Road, requested by Lyman H. Hines, property owner.

The Metro Planning Commission deferred this item, at the request of the applicant, to the September 25, 2003, meeting. (7-0)

XI. **ADJOURNMENT**

There being no further business, upon motion made, seconded and passed, the meeting was adjourned at 4:58 p.m.

Chairman

Secretary

