



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
of the
Metropolitan Planning Commission**

December 11, 2003

PLANNING COMMISSION:

James Lawson, Chairman
Doug Small, Vice Chairman
Stewart Clifton
Judy Cummings
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Councilmember J.B. Loring
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
Kathryn Fuller, Planner II
Adrian Harris, Planner I
Bob Leeman, Planner III
Preston Mitchell, Planner II
Abby Scott, Planner I
Chris Wooton, Planning Technician I

I. CALL TO ORDER

The meeting was called to order at 4:00 p.m.

II. ADOPTION OF AGENDA

Ms. Neilson moved, and Mr. McLean seconded the motion, which passed unanimously to adopt the December 11, 2003 agenda as presented. (7-0)

III. APPROVAL OF NOVEMBER 13, 2003 MINUTES

Mr. McLean moved, and Ms. Nielson seconded the motion, which passed unanimously (7-0), to approve the November 13, 2003 minutes with the following correction:

The discussion regarding re-hearings (Items No. 46 and No. 47) should include the following information:

Commission, by vote, authorized the Chairman and the Executive Director to review rehearing applications for merit, and approve whether the request is to be heard by the full Commission.

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Randy Foster introduced himself to the Commission.

Councilmember Rip Ryman spoke in favor of Item #20 – 2004Z-003G-04. He indicated that the zone change took place under the previous councilperson for his district and he would like to see it changed back to IR.

Councilmember Vivian Wilhoite spoke in favor of item #Item 21 – 2004Z-005U-13. She stated that the Community welcomes this zone change.

Councilmember Jason Hart spoke regarding Item #17 – 2003Z-147U-05. He asked that this item be deferred until January 8, 2004.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

- 7. 2003M-093U-12 Abandon Right-of-Way at End of Trousdale Drive – Deferred indefinitely
- 9. 2003Z-110U-13 Franklin Limestone Road (unnumbered) – Deferred indefinitely
- 17. 2003Z-147U-05 1017 and 1021 Spain Road, R6 to RMS – Deferred to January 8, 2004.
- 18. 2003Z-148G-06 5731 River Road, R40 to CS – Deferred to January 8, 2004
- 23. 2003S-274U-05 Martin Subdivision – Deferred to January 8, 2004
- 26. 2003S-289G-14 Villages of Larchwood, Phase 2, Section 4B, Revision of Lot 74 – Deferred to January 8, 2004

Mr. Sweat arrived at 4:10

A member of the audience requested that item #17 not be placed on the deferral list.

Ms. Hammond stated that the Councilmember for this district, along with the applicant, was in favor of deferring this item to the January 8, 2004 meeting.

Mr. Lawson stated that the Commission’s policy reflects that an item can be deferred if requested by the applicant or a Councilmember.

Ms. Nielson moved, and Mr. Small seconded the motion, which passed unanimously, to approve the deferred and withdrawn items, with the inclusion of Item #17. **(8-0)**

VI. PUBLIC HEARING: CONSENT AGENDA

PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING ZONING MAP AMENDMENTS

- 5. 2003Z-135U-13 Franklin Limestone Rd. (unnumbered), AR2a to RM6 - Approve subject to approval of community plan amendment

MANDATORY REFERRALS

- 8. 2003M-109U-03 Close Un-numbered Alley Between North Avondale Circle and Avondale Circle - Approve

ZONING TEXT AMENDMENTS AND ZONING MAP AMENDMENTS

- 13. 2003Z-143G-12 1089 & 1091 Barnes Rd., AR2a to RS10 - Approve
- 19. 2003Z-149U-05 103 McKennie Ave., CS to R6 - Approve

PRELIMINARY SUBDIVISION PLATS

- 24. 2003S-303G-13 Tillman Property, N. of Pinhook Rd. - Approve w/ conditions

PLANNED UNIT DEVELOPMENTS (revisions)

- 27. 309-84-U-12 Hickory Point at Brentwood, N. of Old Hickory Blvd. - Approve w/ conditions
- 29. 89P-031G-13 Smith Springs PUD, N. of Smith Springs Rd. -Approve w/ conditions
- 31. 2001P-009G-13 Maxwell Place, S. of Maxwell Rd. - Approve w/ conditions
- 32. 2003P-002G-02 Cobblestone Creek, Phase 1, N. of Old Hickory Blvd. - Approve w/ conditions

MANDATORY REFERRALS

- 33. 2003M-123U-14 Property acquisition-Stewarts Ferry Pike/McCampbell Avenue - Approve
- 34. 2003M-125U-11 Water and Sewer Line Abandonment, Willowbrook Market Place - Approve
- 35. 2003M-126U-13 Sewer line extension and easement on Harding Place - Approve
- 36. 2003M-127U-11 Easement acquisition for a water main on Visco Drive - Approve
- 37. 2003M-128U-05 Sewer line and easement abandonment on Gallatin Pike - Approve
- 38. 2003M-129U-05 Street Sign Encroachment for Historic Edgefield - Approve
- 39. 2003M-131U-09 Lease Agreement with Nashville Children’s Theatre - Approve
- 40. 2003M-132U-08 Lease Agreement with H & H Associates, Inc. -Approve
- 41. 2003M-133U-08 Lease Agreement with Baugh and Pardue, LLC- Approve

42. 2003M-135U Comprehensive Strategic Sidewalk Plan Year 01 - Approve

43. Contract with Tennessee Department of Transportation for regional transit planning program.

Approved 7-0, Consent Agenda

44. Employee Contract for Jennifer Carlat, Community Communications Officer

Approved 7-0, Consent Agenda

Mr. McLean moved and Mr. Small seconded the motion, which passed unanimously to approve the consent agenda.
(8-0)

VII. PUBLIC HEARING: A REQUEST TO AMEND THE ANTIOCH-PRIEST LAKE COMMUNITY PLAN: 2003 UPDATE

Staff Recommendation - *Approve*, but retain Natural Conservation policy along Mill Creek Floodplain.

REQUEST - Amend the Antioch-Priest Lake Community Plan: 2003 Update.

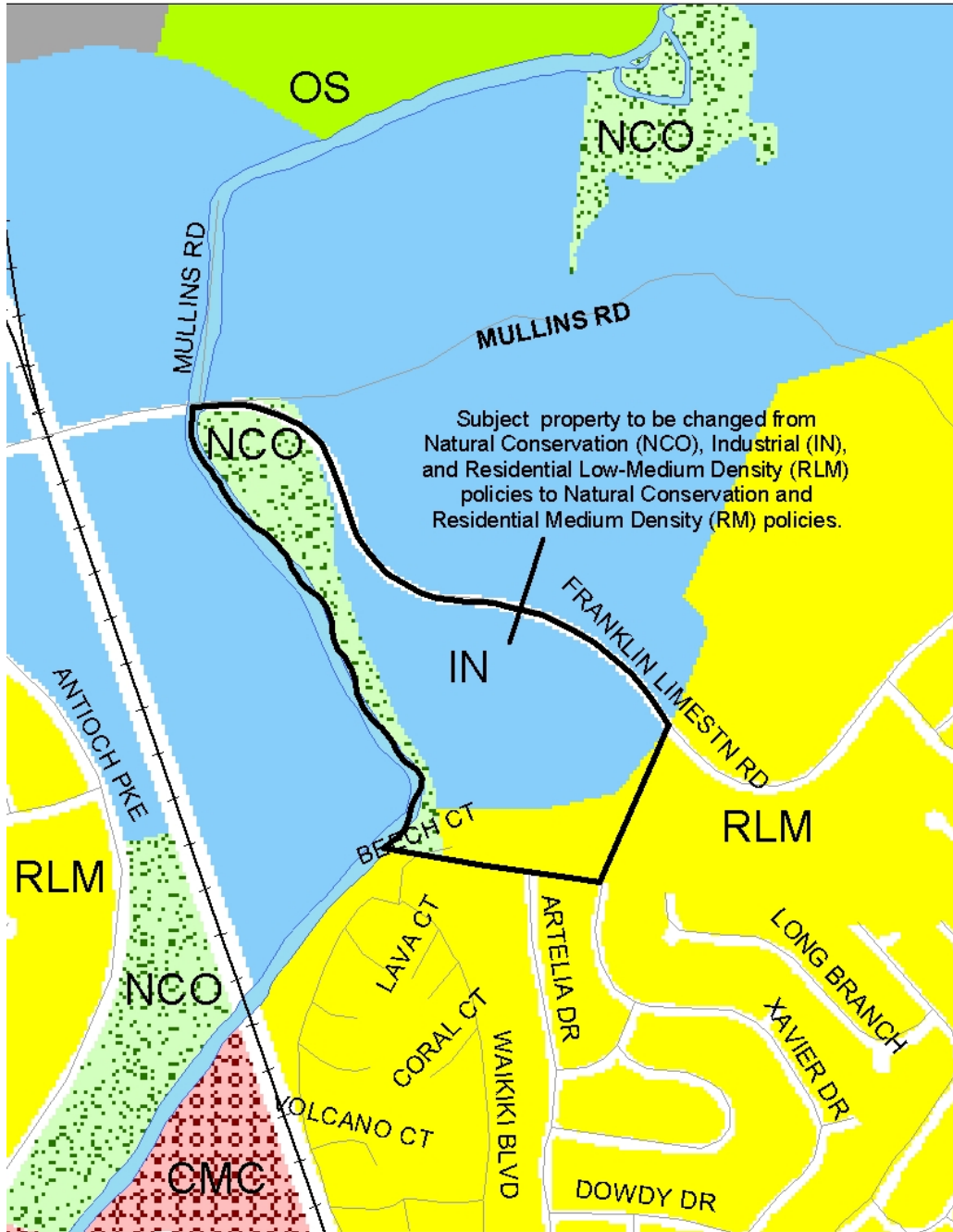
Background - Staff has received a request to amend the Antioch-Priest Lake Community Plan: 2003 Update. The property in question is a 40.18 acre parcel located on the south side of Franklin Limestone Road adjacent to Mill Creek. The applicant is Joe McConnell of MEC, Inc. This property is also the subject of a zone change request, 2003Z-135U-13, which is on this agenda. The request is to change the property's land use policies from Natural Conservation (NCO), Industrial (IN), and Residential Low-Medium Density (RLM) to Residential Medium Density (RM).

Natural Conservation policy allows for very low density residential development and agricultural and open space uses. Industrial policy allows for industrial, warehousing and distribution uses. Residential Low-Medium Density policy allows for residential development at densities between 2 and 4 dwelling units per acre. Residential Medium Density policy allows for residential development at densities between 4 and 9 dwelling units per acre.

Staff believes that the request to change to Residential Medium Density policy is warranted, but that the Natural Conservation policy should be retained along the floodplain of Mill Creek in order to protect it. With reference to the property's suitability for Residential Medium Density policy, it adjoins Residential Low-Medium Density policy to the south and east and would thus be a continuation of surrounding residential development. The property has direct access to a collector street, which is a good level of access for RM policy.

To date, staff has not been contacted by anyone from the public who has expressed either support for or opposition to this proposal.

Please see below for a graphic showing the property recommended to be changed to Residential Medium Density and Natural Conservation policies.



Ms. Cynthia Wood presented and stated that staff is recommending approval of this amendment. Ms. Wood stated that this amendment is associated with one other item on the agenda Item #5 – 2003Z-135U-13.

Ms. Claudia Woodard, 4521 Xavier Drive, expressed concerns regarding the studies used to determine the traffic that would be generated by this proposal and asked that the community be given additional time to digest the proposal in order to make a more informed decision.

Councilmember Wilhoite expressed concerns regarding the proposed changes and the affect it would have on traffic. She commented that her district borders the area slated for the development and that it would probably have an impact on her community as well. She asked that the Commission members take this into consideration before a final decision was made on the proposal.

The Commission members discussed the issue of deferring the request to amend the Antioch-Priest Lake Community Plan, as well as Item #5 – 2003Z-135U-13 which is associated with the Community Plan Update, so that there could be additional time to educate the community on the proposed changes.

Ms. Nielson moved, and Mr. McLean seconded the motion, which passed unanimously to defer the request to amend the Antioch-Priest Lake Community Plan: 2003 Update as well as item #5, 2003Z-135U-13, until January 8, 2004. (8-0)

The Metropolitan Planning Commission voted unanimously to DEFER this item to the January 8, 2004 meeting. (8-0)

VIII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

ZONING MAP AMENDMENTS

- 1. 2003Z-111G-14**
Map 86, Parcel 59
Subarea 14 (1996)
District 12 (Gotto)

A request to change from RS15 district to CS district property located at 4060 Andrew Jackson Parkway, abutting the southwest corner of Andrew Jackson Parkway and Old Lebanon Dirt Road (8.13 acres), requested by Thomas H. Pierce, applicant, for Charles Smith, owner. (Deferred from meeting of November 13, 2003). (See PUD Proposal No. 8-86-P-14 below).

[Please note: Items 1 and 2 were presented to the Commission together. See Item No. 2 for final action and resolution.]

- 2. 8-86-P-14**
A+ Storage – Hermitage
Map 86, Parcel 59
Subarea 14 (1996)
District 12 (Gotto)

A request to cancel the undeveloped Planned Unit Development located abutting the west margin of Andrew Jackson Parkway, south of Old Lebanon Dirt Road, classified RS15, (8.13 acres), approved for a 39 unit townhome development, requested by Dale and Associates for Tommy Pierce, optionee. (Deferred from meeting of November 13, 2002). (See Zone Change Proposal No. 2003Z-111G-14 above).

Staff Recommendation - *Disapprove*, no Traffic Impact Study was submitted, and CS is more intense than what the Subarea Plan calls for in this area. *Disapprove the PUD cancellation* since the approved PUD is consistent with the Subarea 14 policy.

APPLICANT REQUEST

Cancel PUD - Cancel the Andrew Jackson Parkway residential PUD, located at 4060 Andrew Jackson Parkway, abutting the north margin of Andrew Jackson Parkway and the south margin of Nashville & Eastern Railroad.

History - This PUD was conditionally approved in 1986 for the development of a 39 unit residential complex. This complex was never built and is currently vacant land.

Zone Change - Rezone 8.13 acres from residential single-family (RS15) to commercial service (CS).

Existing Zoning

RS15 district - RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

Proposed Zoning

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

SUBAREA 14 PLAN POLICY

Commercial Arterial Existing (CAE) - CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The predominant uses are retail and office activities such as eating establishments, automobile sales, rental, and service, hotels and motels, and consumer services.

The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop these areas to a nodal pattern.

East Corridor Commuter

Rail Project - There is a commuter rail station proposed to the north and the existing rail line will be used for the commuter rail. The East Corridor is 32 miles long with service operating on a single track. The Chandler Station is proposed at Chandler Road and Andrew Jackson Parkway. This station will provide approximately 282 parking spaces with future plans expanding parking to approximately 400 spaces. It is recommended that commercial and/or residential uses be supportive to the proposed Chandler station and rail line and the residential development in the area.

Policy Conflict - Yes. The proposed zoning district (CS) is not consistent with the policy for this area. Expansion of the policy is appropriate only to maintain the viability of existing businesses. The proposed zoning increases the intensity of commercial uses and does not stabilize the current condition or prevent additional strip commercial expansion along Andrew Jackson Parkway.

RECENT REZONINGS - None.

TRAFFIC - Based on the trip generation numbers for commercial services (CS), this proposal will generate approximately 827 to 8642 daily trips ranging from warehouse and specialty retail center uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works’ Recommendation “A Traffic Impact Study will be required to determine the additional traffic generated by the development and required mitigations.”

The applicant was informed that a TIS is required, and one has not been submitted.

Planned Roadway Capital Improvements:

Location	Project	Funding	Projected Date
Andrew Jackson Parkway	Intersection Improvements (Old Lebanon Dirt Road)	Proposed G.O. Bonds	FY05-06
Andrew Jackson Pkwy	Intersection Improvements (Old Lebanon Dirt Road)	Federal Funds	FY05-06

Mr. Leeman presented and stated that staff is recommending disapproval. Mr. Leeman stated that this item was deferred from the Nov. 13th meeting in order to obtain additional information on the commuter rail installation in the area. He also stated that since the last meeting, the applicant has cancelled the PUD amendment request and is currently requesting that the area be zoned from RS15 to CS.

Mr. Leeman stated that the traffic impact study was not completed due to the fact that the original PUD amendment, which was a mini storage, did not require a traffic study – per the traffic engineer. The new request of rezoning from RS15 to CS does require a traffic impact study and they have not submitted one as of yet.

Councilmember Gotto spoke in favor the development due to its suitability to the area. He stated that a residential development would generate additional traffic to an already highly congested area.

Mr. Tommy Pierce, 1133 Hwy 70, presented information pertaining to the proposal to the Commission members. He stated that they are proposing a development with less intense use than what is currently proposed for this area.

Mr. Charles Smith, owner, spoke in favor of the proposal.

Mr. Eugene Hughes, 131 Stoners Glen Court Drive, spoke in favor the proposal.

John Stern, spoke in favor of the planning staff recommendation of disapproval – he commented that the CS does not fit the subarea plan.

Mr. Sweat expressed support of the Councilmember’s request to approve the proposal.

Mr. McLean expressed concerns regarding the cancellation of the PUD and requested clarification on the proposal.

Councilmember Loring agreed with the Councilmember Gotto’s request to rezone the area for storage units, he commented that this request is suitable for the area

Mr. Small moved, and Ms. Nielson seconded the motion, to disapprove Zone Change 2003Z-111G-14 and the request to cancel the Planned Unit Development 8-86-P-14. The motion was approved. (6-2) No Votes – Sweat, Loring, Aye Votes – Tyler, McLean, Nielson, Lawson, Small, Jones

Resolution No. 2003-417

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-111G-14 is **DISAPPROVED.**” (6-2)

The proposed CS district is not consistent with the intent of the Subarea 14 Plan’s Commercial Arterial Existing (CAE) policy intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern. The existing PUD approved for 39 townhomes is consistent with the CAE policy in that it does not expand the commercial uses and serves to stabilize the are against commercial intrusion.

Resolution No. 2003-418

“BE IT RESOLVED by the Metropolitan Planning Commission that cancellation of PUD No. 8-86-P-14 is **DISAPPROVED.**” (6-2)

- 3. 2003Z-126G-06**
Map 155, Parcel 122
Subarea 6 (2003)
District 35 (Tygard)

A request to change from RS40 district to OL district on property at Route 5 Highway 100 on the east margin of Highway 100, approximately 150 feet south of Old Harding Pike, (3.22 acres), requested by Richard D. Jones, applicant, Betty French, owner. (Deferred from meeting of November 13, 2003).

Staff Recommendation - Approve with conditions. Metro Public Works is still in review, will have recommendation prior to the Commission meeting.

APPLICANT REQUEST - Rezone 3.22 acres from residential single-family (RS40) to office limited (OL) district property at Highway 100 (unnumbered), approximately 150 feet south of Old Harding Pike.

Existing Zoning

RS40 district - RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

Proposed Zoning

OL district - Office Limited is intended for moderate intensity office uses.

BELLEVUE COMMUNITY PLAN POLICY

Natural Conservation Overlay - NCO policy is intended for undeveloped areas with the presence of steep terrain, unstable soils, and floodway/floodplain. In areas where development is appropriate some very low intensity commercial, community facility developments, and residential densities consistent with RLM policy may be appropriate.

Office Transition - OT policy is intended for small offices intended to serve as a transition between lower and higher intensity uses where there are no suitable natural features that can be used as buffers. Generally, transitional offices are used between residential and commercial areas. The predominant land use in OT areas is low-rise, low intensity offices.

Policy Conflict – No. The proposed zoning is consistent with the policy for the area. An amendment to the Bellevue Community Plan was adopted by the Planning Commission on August 14, 2003, to allow limited commercial and office development on the east side of the Highway 100 and Old Harding Pike triangle area.

RECENT REZONINGS - Yes. Property to the north was approved by the Planning Commission on October 23, 2003, for a zone change from RS40 to CL (2003Z-112G-06) and an amendment to the PUD to replace an undeveloped bank with a fuel pumping station (97P-019G-06).

TRAFFIC - Based on the trip generation numbers for office limited (OL), this proposal will generate approximately 349 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works’ Recommendations - Request zone change from RS40 to OL

Current zoning - RS40, Peak Hour Adj. Street Traffic (Code 210)
AM trips = 3 PM trips = 3

Proposed zoning - OL, Peak Hour Adj. Street Traffic (Code 710)
AM trips = 164 PM tips = 197

The number of trips increases significantly with this zone change. To ensure the maintenance of an acceptable Level of Service and to retain safe and efficient traffic flow, a TIS should be required to determine any problem areas that may occur due to this change and steps that will be taken to correct those problems.

“A Traffic Impact Study (TIS) will be required to determine the additional traffic generated by the development and the required mitigations.”

A revised TIS has been submitted since the November 13, 2003 Planning Commission meeting and Metro Public Works is reviewing it. Public Works will have a recommendation prior to the Planning Commission meeting.

Planned Roadway Capital Improvements:

Location	Project	Funding	Projected Date
Hwy 100/Temple Rd.	Widen and intersection improvements	State Funds	FY03-04

CONDITIONS

1. No access from Moss Road or Chaffin Drive.
2. Compliance with Public Works conditions.

Mr. Kleinfelter stated that the following two zone requests currently have bills filed with the Council Office. However, the Planning Department received additional information from the Public Works Department regarding these zone changes that will require additional attention. Mr. Kleinfelter stated that the applicant is in favor of deferring the two zone changes until January 22, 2004.

Councilmember Tygard addressed the Commission and stated that he would defer this bill at the Council level due to issues associated with the traffic study and requested that the Commission defer until January 22, 2004.

[Please note: Items 3 and 4 were presented to the Commission together. See Item No.4 for final action and resolution number.]

- 4. 2003Z-127G-06**
Map 155, Parcel 121
Subarea 6 (2003)
District 35 (Tygard)

A request to change from RS40 district to CL (5.0 acres) and OL (3.42 acres) districts property at Route 5 Highway 100 located on the east margin of Highway 100, approximately 150 feet south of Old Harding Pike, (8.42 acres), requested by Richard D. Jones, applicant, for Mary Johnson, owner. (Deferred from meeting of November 13, 2003).

Staff Recommendation - Approve with conditions. Metro Public Works is still in review, will have recommendation prior to MPC meeting.

APPLICANT REQUEST - Rezone one parcel from RS40 to CL (5.0 acres) and OL (3.42 acres) at Highway 100 (unnumbered), located on the east margin of Highway 100, approximately 150 feet south from Old Harding Pike (8.42 total acres).

Existing Zoning

RS40 district - RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

Proposed Zoning

CL district - Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

OL district - Office Limited is intended for moderate intensity office uses.

BELLEVUE COMMUNITY PLAN POLICY

Community Center - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a "town center" of activity for a group of neighborhoods.

Office Transition - OT policy is intended for small offices intended to serve as a transition between lower and higher intensity uses where there are no suitable natural features that can be used as buffers. Generally, transitional offices are used between residential and commercial areas. The predominant land use in OT areas is low-rise, low intensity offices.

Policy Conflict - No. The proposed zoning is consistent with the policy for the area. An amendment to the Bellevue Community Plan was adopted by the Planning Commission on August 14, 2003 to allow limited commercial and office development on the east side of Highway 100 and Old Harding Pike triangle area.

RECENT REZONINGS - Yes. The adjacent property was rezoned from RS40 to CL in July 2003. The property to the north was approved by the Planning Commission on October 23, 2003 for a zone change from RS40 to CL (2003Z-112G-06) with an amendment to the Commercial PUD for a fuel pumping station to replace an undeveloped bank (97P-019G-06).

TRAFFIC - Based on the trip generation numbers for 5.0 acres of commercial limited (CL), this proposal will generate approximately 5315 daily trips for a specialty retail center. Based on the trip generation numbers for 3.42 acres of office limited (OL), this proposal will generate approximately 1230 daily trips for a general office building

(Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works' Recommendations - Request zone change from RS40 to CL and OL.

Current zoning - RS40, Peak Hour Adj. Street Traffic (Code 210)

AM trips = 6 PM trips = 8

Proposed zoning - 50% planned to be CL, 50% planned to be OL

CL, Peak Hour Adj. Street Traffic (Code 832)

AM trips = 1020 PM trips = 1195

OL, Peak Hour Traffic (Code 710)

AM trips = 85 PM trips = 110

Total trips

AM trips = 1105 PM trips = 1305

The number of trips increases significantly with this zone change. To ensure the maintenance of an acceptable Level of Service and to retain safe and efficient traffic flow, a TIS should be required to determine any problem areas that may occur due to this change and steps that will be taken to correct those problems.

“A Traffic Impact Study (TIS) will be required to determine the additional traffic generate by the development traffic and the required mitigations.”

A TIS was requested for a proposed Zone change for this property. The Engineer did not schedule a scoping meeting prior to conducting this study and several items were not addressed in this TIS with sufficient analysis.

We are unable to approve the zone change without further analysis.

A revised TIS was submitted following the November 13, 2003, Commission Meeting and Metro Public Works is reviewing it. Public Works will have a recommendation prior to the December 11 Planning Commission meeting.

Planned Roadway Capital Improvements:

Location	Project	Funding	Projected Date
Hwy 100/Temple Rd.	Widen and intersection improvements	State Funds	FY03-04

CONDITIONS

1. No access from Moss Road or Chaffin Drive.
2. Compliance with Public Works conditions.

Ms. Nielson moved, and Mr. Small seconded the motion, which passed unanimously to defer Zone Change #2003Z-126G-06 and Zone Change #2003Z-127G-06 until January 22, 2004. **(8-0)**

The Metropolitan Planning Commission voted unanimously to DEFER Zone Change No. 2003Z-126G-06 to the January 22, 2004 meeting. (8-0)

The Metropolitan Planning Commission voted unanimously to DEFER Zone Change No. 2003Z-127G-06 to the January 22, 2004 meeting. (8-0)

5. **2003Z-135U-13**
Map 148, Parcel 66
Subarea 13 (2003)
District 28 (Alexander)

A request to change from AR2a district to RM6 district property located at Franklin Limestone Road (unnumbered), abutting the south margin of Franklin Limestone Road and Mullins Road (40.18 acres), requested by Joe

McConnell, MEC Inc., applicant, for Gold Star Development, Inc., owner. (Deferred from meeting of November 13, 2003).

The Metropolitan Planning Commission deferred Zone Change No. 2003Z-135U-13 to the January 8, 2004 (7-0) at the request of the applicant.

PRELIMINARY SUBDIVISION PLATS

- 6. 2002S-229G-14**
Windstar Estates, Revise Preliminary and Section 1 Final
Map 43, Parcels 7 and 8
Subarea 14 (1996)
District 11 (Brown)

A request for revised preliminary and final plat approval to create 84 lots and final approval for 47 lots in Phase One, abutting the southwest margin of Swinging Bridge Road and the northwest corner of Warren Drive and Keeton Avenue, (77.07 acres), classified within the R10 and R15 districts, requested by Charlie Rhoten, owner/developer, Burns and Associates, Inc., surveyor. (Deferred from meetings of October 23, 2003 and November 13, 2003).

Staff Recommendation - *Approve with conditions.*

APPLICANT REQUEST

Revised Preliminary & Final Plat - Revise a preliminary plat to subdivide 77.07 acres into an 84-lot cluster lot subdivision and for final plat of Section One to subdivide 38.71 acres into 47 single-family lots and open space, located abutting the northwest corner at Warren Drive and Keeton Avenue.

DEFERRAL DETAILS - The Planning Commission deferred this subdivision in order to allow time to verify information on the plat. Specifically, spot check some elevations and verify the corrected area of the plat.

The property boundary along the river was verified with the U. S. Army Corps of Engineers. According to their records, there is a flowage easement across the land below the 400.8-foot contour elevation and no ownership by the Corps of this land. This boundary along the river was then more specifically mapped (not common practice along rivers) by the applicant and a change in the overall acreage was submitted. The acreage for the Windstar Estates plat is now shown as 77.07 acres, a reduction of 0.77 acres from the revised discussed at the October 23, 2003, Planning Commission Meeting.

Planning staff contacted the Stormwater Division of the Water Services Department to request verification of the elevations for Windstar Estates, as directed by the Planning Commission. The Stormwater Division compared the applicant's elevations to the most current two-foot contour elevations the Division has (spring 2003). The Division staff determined that the 400-foot contour line (The Cumberland River low water mark) was very close to the same location on the applicant's submission and the Metro maps.

Staff also worked with the Planning Department's Mapping Division to compare elevations to Metro data and confirm the area of the plat. The applicant submitted an electronic copy of the property boundary which was overlaid on Metro aerials. The plat boundary appears to be consistent with the aerials. The adjusted acreage submitted by the applicant was also verified. Based on the boundary submitted by the applicant, the Planning Department's staff calculated the area to have 77.081 acres as compared to the 77.07 acres submitted by the applicant.

Based upon the investigation described above, staff believes the submitted plat for Windstar Estates technically meets the Subdivision Regulations and floodplain development standards of the Zoning Code.

ZONING

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

R15 District - R15 district, requiring a minimum lot size of 15,000 square feet and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots. No duplex lots are proposed.

SUBDIVISION DETAILS

PRELIMINARY PLAT REVISION - The revised preliminary plat differs only in the borrow pit area, undisturbed open space area and the total area for the site. The overall design, including street layout, lot size and location, and open space location, is the same as the approved preliminary plat.

After designing and submitting grading plans for the entire site, it was determined that a larger borrow pit was required in order to have proper sheet flow of water. The grading plans also indicated some areas of the undisturbed open spaces would require substantial grading. This revision includes the expanded borrow pit area. It also includes an expanded undisturbed open space area to compensate for the additional disturbed land in the floodplain. Finally, the total area for the site is 77.07 acres, and not 73.03 acres.

A condition of the approved preliminary plat requires at least one-half of the natural floodplain to be designated as common open space and maintained in a natural state and does not allow excepting the streets and utilities area. These revisions are necessary for this subdivision to comply with the previously approved conditions.

FINAL PLAT - The final plat for Section One includes 47 lots, a 4.24 acre borrow pit and 24.15 acres of open space. Section 17.12.080(D) of the Metro Zoning Ordinance requires a minimum of 15% open space per phase for cluster lot subdivisions. The applicant meets and exceeds this requirement by providing 62% open space.

The majority of this property lies within the floodplain of the Cumberland River. As mentioned above, a condition of the preliminary plat approval requires at least one-half of the natural floodplain to be designated as common open space and maintained in a natural state. The applicant is providing 57.5% undisturbed floodplain for this phase.

Section One of Windstar Estates is consistent with the preliminary plat. A condition of the preliminary plat approval requires approved grading plans for the entire property. The applicant received this approval from the Stormwater Department on September 2, 2003.

TRAFFIC ENGINEER'S FINDINGS - No exception taken.

CONDITIONS

Staff recommends conditional approval of this preliminary plat, subject to the following conditions:

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. Grading plans must be revised with the Metro Stormwater Department to include temporary cul-de-sac at the west terminus of Warren Drive.
3. No clearing, grubbing, grading, or other Metro permits will be issued until final plat approval.
4. All grading and engineering plans relating to site development will be approved by the Stormwater Division based on care taken to minimize environmental disturbance and to prevent increased stormwater runoff onto adjacent properties.
5. The final plat shall demonstrate that at least one-half of the natural floodplain is designated as common open space and maintained in a natural state.
6. Warren Drive and Keeton Avenue along the property's frontage must be bonded for or upgraded to Public Work's standards for a local street containing 50 feet of right-of-way prior to final plat recordation.
7. Any deviation from the preliminary plat will require the filing of a new preliminary plat.

Ms. Scott presented and stated that staff is recommending approval. She stated that this item was deferred from the October 23rd meeting at the Commission's request to obtain additional information regarding the elevation issues associated with the project as well as the area calculated for the proposal.

Ms. Alison Shaw expressed archeological concerns and the possibility of ancient burial grounds being located along the Cumberland River.

Councilmember Brown spoke in opposition to the proposal. He stated that every time this proposal is presented to the Commission, the facts change. He expressed concerns regarding the floodplain and the terrain of the area and commented that 90% of the proposal is located in the floodplain. Councilmember Brown requested that he receive copies of all the transcripts and minutes that this request was discussed. Councilmember Brown closed by saying that he had received information from an Engineer, who has been in business for 25 years, who stated that he was convinced that the development of this property would be very difficult or impossible.

Mr. Charles Rhoten, Developer, spoke in favor of the proposal – stated that he has been working with the staff in order to accommodate their requests.

Mr. Small stated that based on the results of the information the Commission requested, it appeared that the proposal was in order and that he agrees with staff recommendation.

Ms. Jones also agreed with staff recommendation.

Councilmember Loring expressed opposition to the proposal due to the floodplain issue of the development.

Ms. Nielson stated that the information that has been presented clearly states that the requirements have been met and that approval of Phase I can be obtained.

Mr. McLean asked for clarification on the percentage of the development and whether it is included in the floodplain area.

Mr. Tyler expressed concerns regarding the survey of the land and how it was obtained.

Mr. Sweat expressed concerns regarding the measurement of the property and the percentage of floodplain included in the proposal.

Mr. Small expressed concerns regarding the 57% of undisturbed floodplain.

Mr. Small moved, and Ms. Nielson seconded the motion, to approve Preliminary Subdivision No. 2003S-229G-14. **(5-3)** – No Votes – McLean, Loring, Sweat, Aye Votes – Tyler, Nielson, Lawson, Small, Jones.

Resolution No. 2003-420

“BE IT RESOLVED by the Metropolitan Planning Commission that preliminary Subdivision No. 2003S-229G-14 and Final Subdivision No. 2002S-340G-14 is **APPROVED WITH CONDITIONS. (5-3)**

Conditions of Approval:

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. Grading plans must be revised with the Metro Stormwater Department to include temporary cul-de-sac at the west terminus of Warren Drive.
3. No clearing, grubbing, grading, or other Metro permits will be issued until final plat approval.
4. All grading and engineering plans relating to site development will be approved by the Stormwater Division based on care taken to minimize environmental disturbance and to prevent increased stormwater runoff onto adjacent properties.
5. The final plat shall demonstrate that at least one-half of the natural floodplain is designated as common open space and maintained in a natural state.

6. Warren Drive and Keeton Avenue along the property's frontage must be bonded for or upgraded to Public Work's standards for a local street containing 50 feet of right-of-way prior to final plat recordation.
7. Any deviation from the preliminary plat will require the filing of a new preliminary plat."

MANDATORY REFERRALS

7. **2003M-093U-12**
Abandon Right-of-Way at End of Trousdale Drive
Map 160, Parcel 93
Subarea 12 (1997)
District 31 (Toler)

A request to abandon right-of-way for an unimproved portion of Trousdale Drive, located on the north margin of Hill Road, requested by Lyman H. Hines, property owner. (Deferred from meetings of October 23, 2003 and November 13, 2003).

The Metropolitan Planning Commission deferred Mandatory Referral No. 2003M-093U-12 indefinitely at the applicant's request. (7-0)

8. **2003M-109U-03**
Close Un-numbered Alley Between North Avondale Circle and Avondale Circle
Map 71-02, Parcel 25
Subarea 3 (1998)
District 2 (Isabel)

A request to close Metropolitan Department of Public Works Un-numbered Alley, located between North Avondale Circle and Avondale Circle, requested by the adjacent property owners, Gene and Teresa George.

Staff Recommendation - Approve

APPLICANT REQUEST - A request to close an unnumbered alley, located between North Avondale Circle and Avondale Circle, requested by the adjacent property owners, Gene and Teresa George.

APPLICATION REQUIREMENTS

Application properly completed and signed? - Yes

Abutting property owners' sign application? - Yes

DEPARTMENT AND AGENCY COMMENTS - The right-of-way for the unnumbered alley runs between North Avondale Circle and Avondale Circle.

Public Works recommends approval of this request.

Planning staff recommends approval of this request. Staff further recommends that alley #1059, located in the center of the block between North Avondale Circle and Avondale Circle, be closed, however, this is not a condition of approval. This alley runs east-west and between alley #1061 and the unnumbered alley this action seeks to close. Closing the alley would eliminate a dead end alley right-of-way.

Ms. Scott presented and stated that staff is recommending approval.

Ms. Shelby Kerr, 7980 Ridgewood Road, presented a petition with signatures identifying those who are in opposition to the closure of the alley. She too was opposed to the closure.

Ms. Kathleen Dynabursky, 988 Bates Road, spoke in opposition to the proposal. She indicated that her grandfather had purchased the land to make it road and that it was not considered an alley.

Ms. Teresa George, 1232 Avondale Circle, spoke in favor of the proposal. She stated that the alley is used for drug deals, dumping trash and prostitution.

Mr. Sweat asked for clarification on the purpose of closing the alley and the ownership.

Ms. Scott stated that the applicant is requesting closure of the alley due to the trash dumping, drug dealing and prostitution that takes place in the alley. She also stated that the applicant owns three lots that fall on both the north and south sides of the alley. Ms. Scott stated that the alley is right-of-way owned by Metro.

Mr. Fox explained right-of-ways and ownership rights.

Mr. McLean expressed concerns regarding the maintenance of the right-of-way and was in favor of closing the alley. He also stated that he would like to see the closure of Alley #1059 as well.

Mr. Small expressed concerns regarding recommending approval on closing Alley #1059 and the fact that signatures would have to be obtained from the abutting property owners in order to accomplish this task.

Ms. Scott stated that signatures would not be needed at this level, but when the bill goes before the Council, signatures from property owners would be required.

Mr. Sweat asked for clarification on Metro abandonment of rights-of-way.

Mr. Fox explained abandonment of rights-of-way and ownership rights.

Mr. McLean moved, and Ms. Nielson seconded the motion to approve Mandatory Referral #2003M-093U-12, and to close alley #1059 located in the center of the block between North Avondale Circle and Avondale Circle. **(8-0)**

Resolution No. 2003-421

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-093U-12 is **APPROVED. (8-0)**”

**IX. PUBLIC HEARING:
ZONING MAP AMENDMENTS**

- 9. 2003Z-110U-13**
Map 148, Part of Parcel 288
Subarea 13 (2003)
District 28 (Alexander)

A request to change a part of a parcel from RS7.5 to RS7.5 district without conditions, located at Franklin Limestone Road (unnumbered), approximately 500 feet south of Billings Gate Road (16.87 acres), requested by Kevin Estes, applicant, for AHR Development, Inc., owner.

The Metropolitan Planning Commission deferred Zone Changes No. 2003Z-110U-13 indefinitely at the applicant's request. (7-0)

Mr. Clifton arrived at 5:30 pm.

- 10. 2003Z-140U-13**
Map 149, Parcels 44 and 225
Map 163, Parcel 189
Subarea 13 (2003)
District 28 (Alexander)

A request to change from AR2a district to RS7.5 district properties located at 2544, 2558 and 2572 Una Antioch Pike, approximately 1,000 feet northeast of Moss Road (13.02 acres), requested by Don Thornberry, Crye-Leike Realtors, applicant, for Ted Price, Don Thornberry and Joyce Marshall, owners.

Staff Recommendation - Disapprove

APPLICANT REQUEST - Rezone 13.02 acres from agricultural/residential (AR2a) to residential single-family (RS7.5) district property at 2544, 2558, and 2572 Una Antioch Pike, 1000 feet northeast of Moss Road.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

Proposed Zoning

RS7.5 district - RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre. This would total 64 lots on this site.

ANTIOCH-PRIEST LAKE COMMUNITY PLAN POLICY

Neighborhood General (NG) - NG is intended to apply to existing areas that are, and are envisioned to remain, predominantly residential in character, and the emerging and future areas that are planned to be predominantly residential. NG areas include single family residential and public benefit activities. Residential development other than single family is also appropriate provided the location and the particular type of residential development proposed are supported by a detailed neighborhood design plan or, for areas lacking a design plan, a special policy.

Policy Conflict - he proposed zoning district is not consistent with the NG policy in that it allows for a higher density residential use than what the emerging zoning pattern allows. There are RS7.5 zoning districts surrounding the property, however, they were rezoned during the overall county zoning update in 1998. A rezoning was approved by the Planning Commission and Metro Council in June 2003, for RS10 on the adjacent property to the east. The Planning Commission also approved RS10 zoning on the subject property in June 2003, but no ordinance was approved by the Metro Council . The RS10 zoning district is more consistent with the emerging zoning pattern and the NG parcels 003 policy.

RECENT REZONINGS - Yes. Property to the east was rezoned from AR2a to RS10 in February 2003. The Planning Commission recommended approval.

TRAFFIC - Based on trip generation numbers for residential single-family (RS7.5), this proposal is expected to generate approximately 612 vehicular trips per day. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendation - Request zone change from AR2a to RS7.5

Current zoning - AR2a, Peak Adj. Street Traffic (Code 210)

AM trips = 14 PM trips = 10

Proposed zoning - RS7.5, Peak Adj. Street Traffic (Code 210)

AM trips = 55 PM trips = 72

The additional trips are insufficient to warrant a Traffic Impact Study. "No Exceptions Taken."

Planned Roadway Capital Improvements:

Location	Project	Funding	Projected Date
Una-Antioch Pike, Murfreesboro Pike to 800 ft. east of Hickory Hollow Parkway reconstruct and widen	Una-Antioch Pike Phase III	Proposed G.O. Bonds	Beyond FY08-09

SCHOOLS 12 Elementary 9 Middle 7 High

Schools Over/Under Capacity - Students would attend J.E. Moss Elementary, Apollo Middle School and Antioch High School. All three have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

Planned School Capital Improvements:

Location	Project	Projected Date
Apollo Middle School	Renovation	FY05-06
Antioch Cluster	CONSTRUCT A NEW MIDDLE SCHOOL FOR 800 STUDENTS ON A NEW SITE IN SOUTHEAST DAVIDSON COUNTY	FY03-04

Mr. Kleinfelter presented and stated that staff is recommending disapproval.

Mr. Don Thornberry 2544 Una Antioch Pike, representing two other property owners, spoke in favor of the proposal. He asked that they approve the RS7.5 so that it can be consistent with the zoning currently applied to the parcels surrounding his development.

Mr. Tyler asked for clarification on the RS7.5 application request.

Mr. Kleinfelter stated that the proposed zoning district is not consistent with the NG policy in that it allows for a higher density residential use than what the emerging zoning pattern allows.

Mr. Clifton summarized by stating that since there is not a design plan, the RS7.5 can not be granted.

Ms. Nielson questioned whether the item could be deferred.

Mr. Kleinfelter stated that a bill has been filed with Council, so action must take place on this item.

Mr. Clifton questioned the timing on the approval of the NG policy.

Mr. Bernhardt stated that the Commission indirectly adopted this policy in the approval of the subarea plan.

Mr. Sweat stepped out of the meeting.

Ms. Nielson moved, and Mr. Tyler seconded the motion, which passed unanimously, to disapprove Zone Change No. 2003Z-140-13. **(8-0)**

Resolution No. 2003-422

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-140-13 is **DISAPPROVED. (8-0)**

The proposed RS7.5 district is not consistent with the Antioch-Priest Lake Community Plan’s Neighborhood General (NG) policy calling for residential development in the two to four dwelling unit per acre density range without an overlay. The RS7.5 district allows about 5 dwelling units per acre. The RS7.5 also is not consistent with the emerging zoning pattern in the area.”

- 11. 2003Z-141U-07**
Map 91-09, Parcel 22
Subarea 7 (2000)
District 20 (Walls)

A request to change from IR district to MUI district property located at 618 Vernon Avenue, approximately 140 feet south of Nashua Avenue (0.65 acres), requested by John Clinton Lane, applicant/owner.

Staff Recommendation - Disapprove

APPLICANT REQUEST - Rezone 0.65 acres from industrial restrictive (IR) to mixed use intensive (MUI) district property at 618 Vernon Avenue, approximately 140 feet south of Nashua Avenue.

Existing Zoning

IR district - Industrial Restrictive is intended for a wide range of intensive manufacturing and warehousing uses.

Proposed Zoning

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

SUBAREA 7 PLAN POLICY

Residential Medium (RM) RM policy is 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, townhomes, and walk-up apartments.

Policy Conflict - Yes. The proposed zoning district (MUI) is not consistent with the policy for the area. The intent of the Subarea 7 plan for this area is to reclaim it for residential use with the recent residential investment in the area. "To implement the RM policy, rezoning the underutilized industrially zoned areas for residential use is necessary and is recommended" (Subarea 7, Area 5D, p.33-34). Rezoning this property to MUI would likely result in its not being developed for medium density residential uses in the future.

RECENT REZONINGS - None.

TRAFFIC - Based on the trip generation numbers for mixed use intensive (MUI), this proposal will generate approximately 210 to 8,017 vehicular trips per day ranging from general office to free standing discount store uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations - "No exception taken."

SCHOOLS 5 **Elementary** 3 **Middle** 3 **High**

Schools Over/Under Capacity -Students would attend Cockrill Elementary, Bass Middle School and Pearl-Cohn High School. Cockrill and Bass have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

*The numbers for MUI zoning are based upon students that would be generated if the MUI zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,000 sq. ft. of floor area.

Mr. Kleinfelter presented and stated that staff is recommending disapproval.

Rev. Franklin Mitchell, 711 Ries Avenue, spoke in favor of the proposal.

The commission discussed the possibility of deferring this proposal.

A resident of 6121 Jocylin Hollow Road, spoke in opposition to the proposal. She also commented that if this proposal did make it to the Council level, that a recommendation of the construction of a 10-12 ft fence be included for privacy purposes.

Mr. Sweat stepped back into the meeting.

Ms. Nielson asked for clarification of the ownership of the parcel in question.

Mr. McLean moved, and Ms. Nielson seconded the motion, which passed unanimously to defer Zone Change No. 2003Z-141U-07 to the January 22, 2004 meeting.

The Metropolitan Planning Commission voted unanimously to DEFER Zone Change No. 2003Z-141U-07 to the January 22, 2004 meeting. (8-0)

The Commission recessed at 5:45

Ms. Nielson left the meeting at 5:45

Mr. Small left the meeting at 5:45

Ms. Jones left the meeting at 5:45

Ms. Cummings arrived at the meeting at 5:50

The meeting resumed at 6:00 p.m.

Mr. Kleinfelter announced that Item #30 could be placed back on the Consent Agenda. He stated that the item was pulled off the Consent agenda at the request of John Stern. John Stern has spoke with the applicant and has resolved the issues associated with this proposal.

Mr. McLean moved, and Mr. Stewart seconded the motion, which passed unanimously to approve with conditions, Item #30 – 98P-001G-14. **(7-0)**

Mr. Lawson asked that additional floor microphones be placed near the commission so that amplification can be improved for the back of the room.

- 12. 2003Z-142G-06**
Map 114, Parcel 21
Subarea 6 (2003)
District 35 (Tygard)

A request to change from AR2a and R80 districts to RS10 district property located at Old Charlotte Pike (unnumbered), on the northwest corner of Old Charlotte Pike and Gower Road (19.41 acres), requested by Anderson-Delk & Associates, Inc., applicant, for Nancy Knox and Mary Hoover, owners.

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 19.41 acres from agriculture/residential (AR2a) and residential single-family and duplex (R80) to residential single-family (RS10) at Old Charlotte Pike (unnumbered) on the northwest corner of Old Charlotte Pike and Gower Road.

Existing Zoning

AR2a zoning - AR2a requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. Six lots would be permitted under the current zoning.

R80 zoning: R80 requires a minimum 80,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 0.58 dwelling units per acre including 25% duplex lots. Four lots would be permitted under the current zoning.

Proposed Zoning

RS10 zoning: - RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. Seventy-two single-family lots would be permitted under the RS10 zoning.

BELLEVUE 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 is intended for mostly undeveloped areas characterized by the widespread presence of steeply sloping terrain, unstable soils, floodplains or other environmental features that are constraints to development at urban or suburban intensities. NCO areas are intended to be rural in character, with very low intensity development. The predominant types of land use anticipated in these areas are very low intensity residential, commercial (convenience scale) and community facility developments. Specific residential densities in NCO areas should be determined by physical site characteristics and the availability of services, particularly sewers. In general, the more environmentally sensitive or remote a site is, the lower the acceptable density.

Policy Conflict - No. The proposed RS10 district is consistent with the Bellevue Community Plan’s RLM policy and NCO policy for this particular site. The NCO policy was applied to small portions of this property due to steep topography on the rear of the site and a small amount of floodplain across the front portion of the site. The ultimate development of this parcel is likely to avoid these areas of NCO policy

FUTURE SUBDIVISION - The Planning Department recommendation for this rezoning addresses only the questions of compliance with adopted land use policy and adequacy of infrastructure, given entitlements associated with the requested zoning district. Any future subdivision requested for this property must meet all of the specific requirements of the Metropolitan Zoning Code and the additional requirements of the Subdivision Regulations. Given that significant portions of the property contain steep slopes [slopes 20% or greater] and/or areas encompassed by the official floodplain maps, the following subdivision standards may materially affect the development yield and the form of development on the site.

- Zoning Ordinance Section 17.28.030 - Hillside development standards
- Zoning Ordinance Section 17.28.040 - Floodplain/floodway Development Standards
- Subdivision Regulation 2-3 - Suitability of the land
- Subdivision Regulation 2-7.5 - Open Space Conservation Easements
- Subdivision Regulation, Appendix C - Critical Lots (Plans and Procedures)

Included among those provisions are the following requirements:

- “The development of residentially zoned property shall minimize changes in grade, cleared area, and volume of cut or fill on those hillside portions of the property with twenty percent or greater natural slopes.” 17-28-030(A) (emphasis added).
- “For lots less than one acre, any natural slopes equal to or greater than twenty-five percent shall be platted outside of the building envelope and preserved to the greatest extent possible in a natural state.” i.e., grading of lots with twenty-five percent slopes to create a buildable lot is not permitted. 17.28.030(A) (1) (emphasis added).
- In areas with slopes of twenty percent or greater, subdivisions are encouraged to use the cluster lot option of 17.12.080. “In general, lots so created shall be clustered on those portions of the site that have natural slopes of less than twenty percent . . . Large contiguous areas containing natural slopes in excess of twenty-five percent should be recorded as common open space and permanently maintained in a natural state.” 17.28.030(A) (2) (emphasis added).

RECENT REZONINGS - No.

TRAFFIC - Based on trip generation numbers for residential single-family (RS10), this proposal will generate approximately 689 daily. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Findings - “No exception taken”.

Current Zoning - AR2a and R80, Peak hour adjacent street traffic
AM Trips=10 PM Trips=14

Proposed Zoning - RS10, Peak hour adjacent street traffic
AM Trips=60 PM Trips=80

SCHOOLS 9 Elementary 7 Middle 6 High

Schools over/under capacity - Students would attend Gower Elementary, Hill Middle School, and Hillwood High School. Hill Middle School has been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

Mr. Leeman presented and stated that staff is recommending approval.

Ms. Allison Shaw, 7645 Old Charlotte Pike, spoke in opposition to the proposal due to the density of the proposal and its suitability to the area.

Mr. David King, spoke in opposition due to the blasting that takes place in the quarry, the additional traffic congestion and the density of the proposal and its suitability to the area.

Ms. LouAnn Sandlin, 8373 Old Charlotte Pike, presented a letter of opposition to the commission. She stated she was representing the Chestnut Grove Civic Club.

Mr. Steve Hawkins, 6670 River Road Pike, spoke in opposition due to the density of the project and its suitability to the already developed area.

Ms. Lisa Elam, 7474 Old Charlotte Pike, spoke in opposition of the proposal. She specifically mentioned the flooding, infrastructure, density of the project and the traffic issues.

A resident of 6728 Gower Road, spoke in opposition, due to the nature of the road and the additional traffic that would be generated by the density of the project.

Mr. Sam Tate, 8681 Old Charlotte Pike, spoke in opposition to the proposal due to the density of the project.

Mr. Jim Holland, 8301 Old Charlotte Pike, spoke against the proposal due traffic and the nature of the road.

Mr. Gary Hawkins, 6827 Gower Road, spoke against the proposal because of the magnitude of the development.

Mr. Jimmy Smith, 7602 Old Charlotte Road, spoke in opposition due to the twisted road and the additional traffic generated, as well as the stormwater issues involved.

A resident of 537 Hickory Trail Drive spoke in opposition to the proposal due to the density of the project.

Ms. Tonya Rayburn, 7532 Old Charlotte Pike, spoke in opposition to the proposal due to the structure of the road and its traffic capacity and the issues of water run off.

Ms. Ellen Smith, 7602 Old Charlotte Pike, spoke in opposition to the project.

Mr. Kevin Chapman, 501 Hickory Trail Drive, spoke in opposition of the project due to the road structure, and the extra traffic capacity. He suggested that the Commission defer this item so that the Community could obtain additional information regarding the project.

A resident of 549 Hickory Trail spoke in opposition to the proposal.

A resident of 529 Hickory Trail Drive, spoke in opposition to the proposal.

Mr. Jim Brazil, 550 Hickory Trail Drive, spoke in opposition to the project.

Mr. Terry Welty, 541 Hickory Trail Drive, spoke in opposition to the project.

Ms. Melanie Low, 513 Hickory Trail Drive, spoke in opposition due to the safety issues associated with the structure of the road and additional traffic that would be generated and the density of the project.

Ms. Celia Peak, 6801 Gower Road, spoke in opposition to the project due to the density of the project and the structure of the road.

Ms. Mary Byrd, 542 Hickory Trail Drive, spoke in opposition to the proposal.

Mr. James Berg, 542 Hickory Trail Drive, spoke in opposition to the proposal.

Ms. Shirley Katalina, 534 Hickory Trail Drive, spoke in opposition due to the density of the proposal and its conformity with the area.

Mr. Lee Dozier, 7528 Old Charlotte Pike, spoke in opposition to the proposal.

Ms. Michelle Eckerd, 6916 Gower Road, spoke in opposition to the project and suggested considering a proposal that would be more appropriate for the area.

Mr. Marshall Eckerd, 6916 Gower Road, spoke in opposition and requested zoning that would be consistent with the area.

Mr. Donald Robertson, 7544 Old Charlotte Road, spoke in opposition to the proposal.

Ms. Michelle Hailey, 541 Old Charlotte Road, spoke in opposition to the proposal.

Mike Anderson, representing the applicant, stated that proposal is within the regulations of the Bellevue Community Plan and is in favor of the proposal. He stated that the developer would follow all of the regulations placed on the development.

Councilmember Tygard stated that he will be hosting a meeting next Thursday at 6:30 p.m. at Gower School. He will be discussing the project with the Community. He stated that the proposal was too large for the area.

Mr. Sweat expressed concerns regarding the density of the development being located in a rural area. He did state that he is not in favor of limiting development.

Mr. Tyler asked for clarification on whether there was a similar subdivision in the area that was zoned RS10.

Ms. Cummings expressed concerns regarding the density of the project and the lack of roads that would support the traffic associated with the proposal.

Mr. Leeman stated that a traffic impact study was not required by Public Works for the addition of 72 homes. He did say that Public Works would address the traffic issues once the preliminary plat was submitted to the Planning Department.

Ms. Cummings also expressed concerns regarding the flooding and water run off associated with the proposal.

Mr. Clifton expressed concerns regarding the density of the proposal and its relation to the subarea plan. He commented that there was tremendous disparity between how dense the proposal is and whether it conforms with the area. He commented that the subarea plan does not necessarily mandate the Commission to approve all zone changes, especially if areas of concern are brought to the Commission's attention.

Mr. Clifton expressed concerns regarding the substandard roads that would be needed to access the development.

Councilmember Loring stated that he cannot support this zone change. He stated that it was too drastic.

Mr. Lawson summarized by stating that the consensus of the Commission is that the project is too dense. He stated that the Commission does have an obligation of sub-dividing lots within the City, but in some instances they have to look at the comparability.

Mr. Sweat moved, and Ms. Cummings seconded the motion, which pass unanimously, to disapprove Zone Change #2003Z-142G-06 due to premature timing and the inadequate services and facilities, and that staff should revisit the area. **(7-0)**

Resolution No. 2003-423

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-142G-06 is **DISAPPROVED (7-0), WITH RECOMMENDATION TO REVISIT THE POLICY, WITH SPECIAL ATTENTION TO INSUFFICIENT INFRASTRUCTURE, UTILITIES, AND SAFETY ISSUES.**

The proposed RS10 district is premature for this area given the insufficient infrastructure, utilities, and safety issues relating to roadways for the area. Although the Bellevue Community Plan’s Residential Low Medium (RLM) policy for the area calls for residential development at two to four dwelling units per acre, this policy needs to be revisited with the community to determine if a policy that would allow a lesser density is more appropriate given the topographic constraints, infrastructure issues, and the rural character of the are.”

- 13. 2003Z-143G-12**
Map 173, Parcel 124 and 158
Subarea 12 (1997)
District 31 (Toler)

A request to change from AR2a district to RS10 district properties located at 1089 and 1091 Barnes Road, approximately 1,600 feet east of Barnes Cove Court (5.28 acres), requested by Anderson-Delk & Associates, Inc., applicant, for Greystone Properties, LLC, owner.

Staff Recommendation - Approve

APPLICANT REQUEST -Rezone 5.28 acres from agricultural/residential (AR2a) to residential single-family (RS10) district property at 1089 and 1091 Barnes Road, approximately 1,600 feet east of Barnes Cove Court.

Existing Zoning

AR2a district - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres.

Proposed Zoning

RS10 district - RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

SUBAREA 12 PLAN POLICY

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

Policy Conflict - No.The proposed zoning district is consistent with the Subarea 12 Plan’s Residential Low Medium policy. This rezoning is also consistent with the existing zoning pattern in the area. Staff recommends that development of this property include road connectionsto the surrounding RS10 zoning districts.

RECENT REZONINGS - Yes. Parcel 101 to the northwest was rezoned from AR2a to RS10 in May 2003. Parcels 059 and 133 adjacent and to the south were rezoned from AR2a to RS10 in 2001. Parcels 054, 60,61 and 74 to the west were rezoned from AR2a to RS10 in 1998. The Planning Commission recommended approval of all there zone changes.

TRAFFIC - Based on the trip generation numbers for residential single family (RS10), this proposal is expected to generate approximately 187 daily vehicular trips. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Current zoning - AR2a, Peak Adj. Street Traffic
AM trips = 12 PM trips = 5

Proposed zoning - RS10, Peak Adj. Street Traffic
 AM trips = 24 PM trips = 26

The additional trips is insufficient to warrant a Traffic Impact Study.
 “No Exception Taken.”

SCHOOLS 4_Elementary 3_Middle 2_High

Schools Over/Under Capacity - Students would attend Maxwell Elementary, Antioch Middle School and Antioch High School. All three schools have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

Planned School Capital Improvements:

Location	Project	Projected Date
Antioch Cluster	CONSTRUCT A NEW MIDDLE SCHOOL FOR 800 STUDENTS ON A NEW SITE IN SOUTHEAST DAVIDSON COUNTY	FY03-04

Approved (8-0), Consent Agenda

Resolution No. 2003-424

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-143G-12 is **APPROVED. (8-0)**

The proposed RS10 district is consistent with the Subarea 12 Plan’s Residential Low Medium (RLM) policy calling for residential development at two to four dwelling units per acre. This rezoning is also consistent with the existing zoning pattern in the area.”

Mr. Tyler left the meeting at 6:55 pm

- 14. 2003Z-144U-05**
 Map 61, Parcel 53
 Subarea 5 (1994)
 District 8 (Hart)

A request to change from RS10 district to IR district property located at 2634 Bethwood Drive, on the west margin of Ellington Parkway South (13.51 acres), requested by Roy Dale, applicant, for Curtis Seals, owner.

Staff Recommendation - Disapprove as contrary to the General Plan

APPLICANT REQUEST - Rezone 13.51 acres from residential single-family (RS10) to industrial restrictive (IR) district property at 2634 Bethwood Drive, on the west margin of Ellington Parkway South.

Existing Zoning

RS10 district - RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

Proposed Zoning

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

SUBAREA 5 PLAN POLICY

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

Policy Conflict - Yes. The proposed zoning district (IR) is not consistent with the policy for the area. Industrial uses are not permitted in this area. The Subarea 5 plan calls for conservation of the existing residential character, “to provide stability of densities and comparability of new and existing development, zoning is recommended that reflects existing neighborhood character and limits future residential development to the currently prevailing residential structure type” (Area 4b, p. 77).

RECENT REZONINGS - None.

TRAFFIC - Based on the trip generation numbers for industrial restrictive (IR), this zoning proposal is expected to generate approximately 529 to 1348 vehicular trips per day ranging from general heavy industrial to manufacturing uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations - “No exceptions taken at this time, however a TIS may be required if there is a use other than billboards.”

Mr. Kleinfelter presented and stated that staff is recommending disapproval.

Mr. Clifton moved, and Ms. Cumings seconded the motion, which passed unanimously to disapprove Zone Change #2003Z-144U-05 due to it is contrary to the General Plan. **(6-0)**

Resolution No. 2003-425

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-144U-05 is **DISAPPROVED AS CONTRARY TO THE GENERAL PLAN. (6-0)**

The proposed IR district is not consistent with the Subarea 5 Plan’s Residential Low Medium (RLM) policy calling for residential development at two to four dwelling units per acre. Industrial uses are not encouraged in this area. The Subarea 5 Plan calls for conservation of the existing residential character to provide stability of densities and comparability of new and existing development. Zoning is recommended that reflects the exiting neighborhood character and limits future residential development to the currently prevailing residential structure type.”

- 15. 2003Z-145U-03**
Map 71-10, Parcels 143, 144 and 147
Map 71-14, Parcel 395
Subarea 3 (1998)
District 2 (Isabel)

A request to change from RS5 district to CS district property located at 1219, 1221, 1225 and 1231 Bessie Avenue on the south margin of Weakley Avenue (0.87 acres), requested by R. C. Calligan, applicant/owner, for RCC, LLC, owner.

Staff Recommendation *Disapprove.*

APPLICANT REQUEST - Rezone 0.87 acres from residential single-family (RS5) to commercial service (CS) district property at 1219, 1221, 1225, and 1231 Bessie Avenue, on the south side of Weakley Avenue.

Existing Zoning

RS5 district - RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

Proposed Zoning

CS district - Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light manufacturing and small warehouse uses.

BORDEAUX-WHITES CREEK COMMUNITY PLAN POLICY

Community Center (CC) - CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses.

Policy Conflict - Yes. The proposed zoning district is not consistent with the CC policy in that it allows for higher intensity commercial uses than what the plan calls for in this area. The proposed zoning would also introduce commercial into the existing residential neighborhood along Bessie Avenue, which is premature until a larger portion of the node can be completed at one time.

RECENT REZONINGS - Yes. Parcel 148 adjacent to the east was rezoned from RS5 to CS in July 1998. A portion of parcel 24 to the south was also rezoned from RS5 to CS in November 1999. Planning Commission recommended approval of both zone changes

TRAFFIC - Based on the trip generation numbers for commercial service (CS), this proposal is expected to generate approximately 1,408 vehicular trips per day for auto parts sales. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendation - Public Works is still in review, will have a recommendation prior to the Planning Commission meeting.

Mr. Kleinfelter presented and stated that staff is recommending disapproval.

Mr. John Austin, asked the commission to disapprove the proposal.

Mr. McLean moved, and Mr. Stewart seconded the motion, which passed unanimously, to disapprove Zone Change #2003Z-145U-03. (6-0)

Resolution No. 2003-426

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-145U-03 is **DISAPPROVED. (6-0)**

The proposed CS district is not consistent with the Bordeaux-Whites Creek Community Plan’s Community Center (CC) policy calling for single-family and multi-family residential, offices, and commercial retail services at a lesser intensity than what the CS district would allow. The proposed CS district is not consistent with the CS district in this area, which abuts Brick Church Pike, because it would introduce commercial uses into the existing residential neighborhood, and such commercial uses are premature within the residential area.”

-
- 16. 2003Z-146U-11**
Map 106, Various Parcels
Map 119, Various Parcels
Map 133, Various Parcels
Subarea 11 (1999)
District 16 (McClendon)

A request to change from R6, R8, R10 and R15 districts to RS5, RS7.5, RS10 and RS15 districts various properties located along the east and west side of Nolensville Pike and between Thompson Lane and I-440 (915.68 acres), requested by Councilmember Amanda McClendon.

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 2,691 parcels totaling 915.68 acres from residential single-family and duplex (R6, R8, R10, R15) to their corresponding single-family districts (RS5, RS7.5, RS10, RS15). The properties are located between Nolensville Pike and I-24, and between Thompson Lane and the I-440, and on the west side of Nolensville Pike south of Thompson Lane, and east of I-24 on the north and south side of Briley Parkway. Councilmember Amanda McClendon has made this request so more duplexes cannot be added to this area.

Existing Zoning

R6 zoning: R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 6.17 dwelling units per.

R8 zoning: R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.62 dwelling units per acre.

R10 zoning: R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.7 dwelling units per acre.

R15 zoning: R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.47 dwelling units per acre.

Proposed Zoning

RS5 zoning: RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings only at a density of 7.41 dwelling units per acre.

RS7.5 zoning: RS7.5 requires a minimum 7,500 square foot lot and is intended for single-family dwellings only at a density of 4.94 dwelling units per acre.

RS10 zoning: RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings only at a density of 3.7 dwelling units per acre.

RS15 zoning: RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings only at a density of 2.47 dwelling units per acre.

SUBAREA 11 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.

Residential Medium (RM) - RM policy is 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.

Residential Low (RL) -RL policy is intended to conserve large areas of established, low density residential development (one to two dwelling units per acre). The predominate development type is single-family homes.

Policy Conflict - No. The proposed RS districts are consistent with the Subarea 11 Plan's RLM, RL and RM policies.

According to Metro property records, of the 2,691 parcels involved in this rezoning request 162 of the parcels are vacant, 283 parcels currently have duplexes, and the remainder are currently single-family or other uses.

The Zoning Code allows for legally non-conforming lots to remain non-conforming. The Code also states that a structure containing a duplex nonconforming use within an RS district may be restored within one year if the structure is damaged or destroyed.

RECENT REZONINGS - Yes. The Planning Commission approved a request to change 1,612 parcels on 640 acres from R to RS district on October 9, 2003, south of Thompson Lane and East of Nolensville Pike.

TRAFFIC - This rezoning is not expected to have a significant effect on future traffic volumes.

Public Works Findings - No exception taken.

Mr. Leeman presented and stated that staff is recommending approval.

Ms. Janice Fontaney, 188 Chilton Street, State Representative of the area, spoke in support of the proposal.

Ms. Kathy Evans, 225 Peachtree Street, spoke in favor of the proposal.

Mr. Robert Price, 915 Ottercreek Road, spoke in opposition to the proposal.

A resident from the area spoke in support of the proposal due the conditions of the duplexes that are currently in the area.

Mr. Mike Smith, 2407 Burbank Avenue, spoke in favor of the proposal.

Mr. James Frith, 3104 Meade Avenue, spoke in favor of the proposal.

Ms. Tracy McCartney, Exec. Director of the Tennessee Fair Housing Council, spoke in opposition to the project due to its discrimination to the fair housing act.

Mr. Chris Cunningham, 205 Garwood, spoke in favor of the project.

Mr. Richard Hickman, St. Edwards Drive, spoke in favor of the project.

Mr. Greg Balkum, spoke in opposition to the proposal.

Councilmember McClendon spoke in favor of the proposal. She stated that the infrastructure of the area will support the proposed rezoning.

Mr. McLean expressed support of Councilmember McClendon's request. He expressed concerns regarding the blanket demolitions of duplexes in Davidson County. He supports new urbanism and with this fact, there should be more constraints placed on duplexes to allow for their construction.

Mr. Clifton expressed concerns regarding the massive rezoning of this area.

Ms. Cummings expressed concerns regarding the violation of the fair housing act.

Mr. Fox stated that it was not in violation of the fair housing act.

Mr. Sweat asked for clarification on the housing that is already located in the area and their status in the proposal.

Mr. Sweat moved, and Mr. McLean seconded the motion, which passed unanimously, to approve Zone Change #2003Z-146U-11. **(6-0)**

Resolution No. 2003-427

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-146U-11 is **APPROVED. (6-0)**

The proposed RS5, RS7.5, RS10 and RS15 districts are consistent with the Subarea 11 Plan's Residential Low (RL), Residential Low Medium (RLM), and Residential Medium (RM) policies calling for residential development at the proposed density ranges."

17. **2003Z-147U-05**
Map 72-10, Parcels 85 and 86
Subarea 5 (1994)
District 8 (Hart)

A request to change from R6 district to RM6 district properties located at 1017 and 1021 Spain Avenue, approximately 250 feet west of Gallatin Pike (0.58 acres), requested by Robert W. Rutherford, applicant, for Phillip-Robinson Company, owner.

The Metropolitan Planning Commission deferred Mandatory Referral No. 2003Z-147U-05 to the January 8, 2004, meeting at the Councilmember's request. (7-0)

18. **2003Z-148G-06**
Map 102, Parcels 42, 72 and 74
Subarea 6 (2003)
District 35 (Tygard)

A request to change from R40 district to CS district properties located at 5731 River Road, River Road (unnumbered) and Charlotte Pike (unnumbered), at the southwest corner of River Road and Charlotte Pike (6.87 acres), requested by Wallace E. Johnson, applicant/owner.

The Metropolitan Planning Commission deferred Zone Change No. 2003Z-148G-06 to the January 08, 2004, meeting at the applicant's request. (7-0)

19. **2003Z-149U-05**
Map 83-01, Parcel 277
Subarea 5 (1994)
District 6 (Jameson)

A request to change from CS district to R6 district property located at 1103 McKennie Avenue, approximately 100 feet east of Gallatin Avenue (0.15 acres), requested by Councilmember Mike Jameson, applicant, for Pat Adams and A. W. and Gwen Schumann, owners.

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 0.15 acres from commercial service (CS) to residential (R6) district property at 1103 McKennie Avenue, approximately 100 feet east of Gallatin Avenue.

Existing Zoning

CS district - Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light manufacturing and small warehouse uses.

Proposed Zoning

R6 district - R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

SUBAREA 5 PLAN POLICY

Commercial Arterial Existing (CAE) - CAE policy is intended to recognize existing areas of "strip commercial" which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The predominant uses include retail and office activities such as eating establishments, automobile sales, rental, and service, hotels and motels, and consumer services. The intent of this policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop these areas to a nodal pattern.

Policy Conflict - No. This proposal is consistent with the Subarea 5 Plan’s CAE policy, which does not call for the expansion of commercial uses. This proposal is to downzone a commercial zoning district to a residential zoning district. The zoning line for the CS zoning district ends at this property, but the lot size and existing use is consistent with the residential neighborhood along McKennie Avenue.

RECENT REZONINGS - None.

TRAFFIC - Based on the trip generation numbers for residential (R6), this proposal will generate approximately 10.42 vehicular trips per day. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

A CS zone generates more traffic than a R6 zone. Additionally, the site size is small.
 “No Exception Taken.”

SCHOOLS <1 Elementary <1 Middle <1 High

Schools Over/Under Capacity - Students would attend Cora Howe Elementary, Bailey Middle School and Stratford High School. Cora Howe has been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

Planned School Capital Improvements:

Location	Project	Projected Date
Stratford High School	Renovation	FY05-06

Approved (8-0), *Consent Agenda*

Resolution No. 2003-428

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2003Z-149U-05 is **APPROVED. (8-0)**

The proposed R6 district is consistent with the Subarea 5 Plan’s Commercial Arterial Existing (CAE) policy, which does not call for the expansion of commercial uses. The proposed R6 district is consistent with the zoning in the residential neighborhood along McKennie Avenue.”

- 20. **2004Z-003G-04**
 Map 34-06, Part of Parcel 57
 Subarea 4 (1998)
 District 10 (Ryman)

A request to change from CS district to IR district part of a parcel at Myatt Drive (unnumbered), located approximately 1,000 feet south of North Gallatin Pike along the west side of Myatt Drive (27.12 acres), requested by Walter Knestrick for Rivergate Partners, owner.

Staff Recommendation - *Disapprove as contrary to the General Plan*

APPLICANT REQUEST -Rezone 27.12 acres from commercial services (CS) to industrial restrictive (IR) district part of a parcel at Myatt Drive (unnumbered), located across from Spring Branch Road and south of Gallatin Pike.

Existing Zoning

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

Proposed Zoning

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

BELLEVUE 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, research activities and other appropriate uses with these locational characteristics.

On February 1, 2001, the Planning Commission amended the Subarea 4 Plan for this area from Industrial and Distribution (IND) to Commercial Mixed Concentration (CMC) policy, finding that the CMC policy would provide additional commercial development opportunities close to the RiverGate Mall and also to provide for other high intensity land uses, such as offices and medium-high to high density residential development, in proximity to the RiverGate Regional Activity Center.

“Area 12E has historically been an industrial area, but the demand for industrial development has weakened in this area. This trend is expected to continue over the long term, although it is understood that some of the existing industrial businesses in the area will continue their operations well into the foreseeable future.” (Subarea 4 Plan, 2001 Amendment).

Policy Conflict - Yes. The IR district is not consistent with the Subarea 4 Plan’s CMC policy calling for a wide range of commercial activities.

RECENT REZONINGS - Yes. This property was rezoned in 2001, from IR to CS (2001Z-001G-04), along with an associated Subarea 4

Plan amendment to change the policy from IND to CMC.

METRO PUBLIC WORKS FINDINGS

Current zoning

CS, Peak adjacent street traffic -- General Office:
AM Trips = 218 **PM Trips =1,056**

CS, Peak adjacent street traffic -- Shopping Center:

AM Trips = 730 **PM Trips =2,650**

Proposed zoning

IR, Peak adjacent street traffic -- Manufacturing:
AM Trips = 166 **PM Trips = 171**

IR, Peak adjacent street traffic – General Light Industrial:

AM Trips = 838 **PM Trips = 1,016**

“The trip generations, depending on what is developed, will either decrease or maintain the same level. Usually, however, due to the size of the property there are many uncertainties as to how much it will impact the road, especially in this part of town. With the 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. Therefore, we [Public Works] recommend approval of the zone change.”

Mr. Leeman presented and stated that staff is recommending disapproval.

Mr. Walter Knestrick, managing partner for Rivergate Properties, requested that the zoning be put back to industrial.

Councilmember Loring stated that he is in favor of rezoning this parcel to industrial.

Mr. McLean expressed concerns regarding the requirements of the general plan and the current zoning of the property.

Mr. Clifton expressed concerns regarding the industrial zoning and its presence in the County. He stated that he will not vote in favor of a proposal that is against the general plan.

Ms. Cumming also stated that she can not vote in favor of an item that is against the general plan.

Mr. Lawson suggested that the Commission revisit the issue. The Commission has adopted a policy for the area and there may be valid market reasons why they were wrong when they adopted the policy for this area.

Mr. Clifton moved, and Ms. Cummings seconded the motion to disapprove Zone Change #2004Z-003G-04 as it is contrary to the general plan, and to advise Council that this be re-referred for consideration by the MPC before third reading at the Council Public Hearing, and request that the staff revisit a plan amendment. Disapproved 5-1, No vote – Councilmember Loring.

Resolution No. 2003-429

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2004Z-003G-04 is **DISAPPROVED AS CONTRARY TO THE GENERAL PLAN (5-1), WITH A REQUEST TO RE-REFER THIS ITEM TO MPC AFTER THE COUNCIL PUBLIC HEARING AND A REQUEST TO REVISIT THE SUBAREA PLAN FOR THE AREA.**

The proposed IR district is not consistent with the Subarea 4 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, research activities and other uses with these locational characteristics. Although the current policy for this area is not consistent with the subarea plan, Planning Department staff is directed to revisit whether the CMC policy needs to be changed back to IND policy.”

- 21. 2004Z-005U-13**
Map 149, Parcel 79
Map 149-03, Parcel 69
Subarea 13 (2003)
District 29 (Wilhoite)

A request to change from R8 district to MUL (2.69 acres) and RS3.75 (1.00 acres) districts a portion of property at 2500 Murfreesboro Pike and property at 2530 Murfreesboro Pike, approximately 800 feet south of Edge-O-Lake Drive (3.69 acres), requested by Mark Marshall, Marshall Developments, applicant, for Gwen M. Billips, Joyce M. Ross and Murfreesboro Edge-O-Lake, LLC, owners.

Staff Recommendation - *Disapprove* request to rezone parcel 79. The MUL, and RS3.75 districts do not implement the intent of the Antioch-Priest Lake Plan without an associated overlay district showing, in detail, how the proposed districts will relate to the adjacent, existing, residential neighborhood. A Traffic Impact Study also was required but has not been submitted by the applicant.

Approve request to rezone part of parcel 69, as this is consistent with the surrounding zoning and the mixed use policy for this area.

APPLICANT REQUEST - Rezone 2.69 acres from residential single-family and duplex (R8) to mixed use limited (MUL) and 1.00 acre from R8 to RS3.75 district property at 2500 and 2530 Murfreesboro Pike.

Existing Zoning

R8 district - R8 zoning is intended for single-family homes and duplexes on 8,000 sq. ft. lots.

Proposed Zoning

MUL district - MUL zoning is intended for moderate intensity mixture of residential, retail, and office uses.

RS3.75 district - RS3.75 requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre.

ANTIOCH-PRIEST LAKE PLAN POLICY

Mixed Use (MU) - MU policy is designed to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Land uses found in this category include residential, office, commercial, recreational, cultural, and community facilities.

Residential Medium High (RMH) - RMH is designed and intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. Good access, with direct or indirect access to a collector or arterial is recommended. Indirect access should not be through lower density areas.

Policy Conflict - Yes. The MUL, and RS3.75 districts are inconsistent with the Antioch Priest Lake Community Plan (Subarea 13 Plan) for parcel 79. The plan states: “Mixed-use areas should be developed in accordance with a coherent plan or overall working concept of the desired end . . . [P]lans including an architectural and/or design review component, such as some type of historic or special district overlay, are appropriate to help ensure compatible development and protection of valuable existing resources.”

The MUL zoning proposed for parcel 79 extends further away from Murfreesboro Pike than what the Antioch Priest Lake Subarea plan calls for in this area. Staff recommends disapproval of rezoning parcel 79 to MUL further back from Murfreesboro Pike than the existing MUL zoning line to the northwest on parcel 78

The MUL district proposed on part of parcel 69 is consistent with the Antioch-Priest Lake Plan, and is consistent with the surrounding MUL zoning. Rezoning the remainder of the corner parcel will allow a more comprehensive plan to be established along with the MUL area to the south.

RECENT REZONINGS - Yes. The adjacent parcels 78 and 80-84 were rezoned earlier this year by the Metro Council (2003Z-047U-13). The Planning Commission recommended disapproval as Contrary to the General Plan, as they were inconsistent with the old and then - proposed Subarea 13 Plan.

METRO PUBLIC WORKS FINDINGS

Current zoning R8, Peak adjacent street traffic (ITE Code: 210)
AM Trips = 28 PM Trips =32

Proposed zoning MUL*, Peak adjacent street traffic (ITE Code: 834)
AM Trips = 599 PM Trips = 403

*If smaller parcel is used as a fast food with drive thru (Code 834) with a 0.6 FAR (note: MUL allows a 1.0 FAR)

If larger parcel is used for retail: Shopping Center (Code 820) and a 1.0 FAR:

AM Trips = 100 PM Trips = 363

If developed as a bank with a 1.0 FAR,

AM Trips = 253 PM Trips = 1,096

RS3.75, Peak adjacent street traffic (ITE Code: 210)

AM Trips = 20 PM Trips =20

“A Traffic Impact Study will be required to determine the additional traffic generated by the development and required mitigations. Therefore, Public Works recommends that the zone change be denied.”

SCHOOLS

Students Generated* 10 Elementary 7 Middle 6 High

Schools Over/Under Capacity - Students will attend Lakeview Elementary School, Kennedy Middle School, and Antioch High School. All three schools have been identified as being overcrowded by the Metro School Board.

*The numbers for MUL zoning are based upon students that would be generated if the MUL zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,000 sq. ft. of floor area.

Planned School Capital Improvements:

Location	Project	Projected Date
Antioch Cluster	CONSTRUCT A NEW MIDDLE SCHOOL FOR 800 STUDENTS ON A NEW SITE IN SOUTHEAST DAVIDSON COUNTY	FY03-04

Mr. Leeman stated that staff is recommending approval of parcel 69 and disapproval of parcel 79.

Mr. Mark Marshall, developer, spoke in favor of the proposal. He requested that both parcels be approved.

Mr. Bob Willoughby, 2526 Edge-O-Lake Drive, spoke in favor of the proposal.

Mr. Clifton asked for clarification on the MUL rezoning uses.

Mr. McLean expressed concerns regarding the depth of the proposal and its reasoning for disapproval of Parcel 79.

Mr. McLean moved, and Councilmember Loring seconded the motion, which passed unanimously to approve Zone Change 2004Z-005U-13 to include approval of both parcels at the applicant's request. (6-0)

Resolution No. 2003-430

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2004Z-005U-13 is **APPROVED, TO INCLUDE BOTH PARCELS, AT THE APPLICANT’S REQUEST. (6-0)**

The proposed MUL and RS3.75 districts are consistent with the Antioch-Priest Lake Plan’s Mixed Use (MU) and Residential Medium High (RMH) policies calling for a mixture of uses along the frontage of Murfreesboro Pike and residential development at nine to twenty dwelling units per acre at the rear of the site. Although there is not an associated PUD proposed with this rezoning, this request is consistent with the surrounding zoning pattern that has emerged over the past two years.”

X. PRELIMINARY SUBDIVISION PLATS

22. 2003S-254U-13

Hamilton Church Subdivision
Map 150, Parcels 95, 96, 97, 99 and 192
Subarea 13 (2003)
District 33 (Bradley)

A request for preliminary plat approval for 45 lots abutting the north margin of Hamilton Church Road, approximately 1,600 feet west of Mt. View Road (16.63 acres), classified within the AR2a district, requested by Harold Feener, owner, Civil Site Design Group, surveyor.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Preliminary Plat -Subdivide 16.63 acres into a 45-lot cluster lot subdivision, at a proposed density of 2.7 dwelling units per acre.

ZONING

RS10 District - RS10 district, requiring a minimum lot size of 10,000 square feet and permits a maximum of 61 single-family lots on this property.

CLUSTER LOT OPTION - Under the proposed cluster lot option, lot sizes can be reduced up to two zoning districts (5,000 square feet) with the installation of landscape buffer yards along the perimeter of the site where the proposed lots are less than 10,000 square feet.

The plan proposes lots that range in size from 7,500 to 10,488 square feet.

Pursuant to Section 17.12.080 (D) of the Zoning Code, cluster lot subdivisions require a minimum of 15% open space per phase. This development proposes 21% (3.45 acres) of open space.

ANTIOCH-PRIEST LAKE COMMUNITY PLAN - The Antioch-Priest Lake Community Plan, adopted July 10, 2003, envisions a planned collector road running north-
2003 UPDATE - south from Hamilton Church Road to Anderson Road. This planned collector bisects the subject property.

The Planning Commission approved the rezoning of this property from AR2a to RS10 on March 13, 2003. At that time, the applicant held a community meeting. To discuss their future development plans for the property. The developer and the community agreed on specific design features of the subdivision, without the input of the Planning staff, such as no connection to Hamilton Church Road, a left turn lane off Hamilton Church Road at Tea Garden Lane, a round about, or traffic circle at the intersection of at Forest Breeze Drive and the new street in the proposed subdivision. Unfortunately, neither the developer nor the citizens from the adjacent neighborhoods voiced their concerns about these roadway issues during the community plan update that proposed the planned collector road through this property. The developer first found out about the required road connection when the submittal of the preliminary plat was made. Since that time, the developer, staff and Councilmember Bradley have attempted to strike a compromise between what the plan requires and what was promised by the applicant to the neighborhood.

Additionally, the proposed collector road is not a new idea with the 2003 update. It was included in previous plans for the area, and the developer of the Calumet PUD (the adjacent development to the west) was required to post a bond for a share of the construction of the road for 5 years. This spring, that bond was released because the 5 years had expired.

Staff has given in-depth study to the merits of reducing the proposed “collector” to a “connector” street that would allow for a local street standard. During the Antioch-Priest Lake Community Plan Process, the Planning Staff and the Public Works Staff gave careful thought to traffic patterns in this rapidly developing area to locate needed facilities. Staff found no evidence that would support a change in the adopted plan.

SUBDIVISION DETAILS - As submitted, the proposed subdivision includes the following features:

1. No connection to Hamilton Church until Hamilton Church is widened. The connection is proposed not to be constructed until after Hamilton Church is widened, or until the road is continued north to Anderson Road.
2. The connection also includes a left-turn lane into the development.
3. A round-about at Forest Breeze Drive and the new street.
4. Sidewalks will be constructed on the north side of Forest Breeze Drive and Whirlaway Drive, both in adjacent subdivisions, to tie into this new development.
5. 60 feet of right-of-way is dedicated as required by the collector cross section, however, a local street is proposed with 23 feet of pavement with 2.5 feet curb and gutter, 4 foot grass strip, and 5 foot sidewalk on each side.
6. Right-of-way is dedicated, but not constructed, for a stub street at the northwest corner of the property for a future development to connect.

STORMWATER

1. The subdivision plat includes the following note, “Existing spring to be rerouted. Construct spring box with pipe beneath street which leads beneath street to detention pond.”
2. It is not permissible for an unknown volume of water to be routed from a spring to a detention pond.
3. If the spring is a water of the state, an appeal from the Stormwater Management Committee is required. Documentation from the state is required.

PUBLIC WORKS - The plan submitted Nov. 21, 2003, is inconsistent with the recently approved Subarea plan. Therefore, the Traffic Division of Public Works cannot approve the plan dated 11/17/03.

The development plans shall show a road connection with Hamilton Church Road, shall remove the roundabout, and shall show the main road through the development with right-of-way and pavement width per the Collector Road standards.

CONDITIONS

1. The stub street in the northwest corner must be constructed.
2. All Stormwater comments must be addressed and coordinated with Planning Staff prior to grading plan approval.

3. The connection to Hamilton Church Road must be constructed with the development of this subdivision. Lot 1 shall not have direct access to Hamilton Church Road.
4. The proposed street shall be constructed to collector standards acceptable to Public Works, and the roundabout must be eliminated.
5. A bond shall be posted for the construction of the Hamilton Church Road improvements- widening, turn lane, and street extension- in addition to any bonds necessary for infrastructure improvements.

Ms. Fuller presented and stated that staff is recommending approval with conditions.

Councilmember Tommy Bradley spoke in favor of supporting the proposal as presented by Mr. Feener. He stated that several community meetings were held with the former Councilmember and Mr. Feener and that the neighbors were in support of the development. They were not in favor of the stub street, nor were they in support of the connector street to Hamilton Church Road.

Mr. Tom White, representing the applicant, spoke in favor of the proposal. He asked that the applicant's request be approved.

Mr. McLean discussed in some length his thoughts on the stub street. He mentioned the topography of the land and use of the land if the stub street were included – i.e. illegal activities, dumping station, etc. He suggested possibly placing signage near the area that would alert the future uses of the street.

Mr. Clifton asked for clarification on whether signs would be posted regarding the use of the stub street. He also looked for clarification on the widening of Hamilton Church Road and if this was being done due to safety issues.

Public Works offered that the widening of Hamilton Church Road would offer one lane entering the subdivision and two lanes exiting the subdivision.

Ms. Cummings expressed concerns for the stub street and asked for clarification for our request to build out the street.

Mr. Sweat questioned whether there would be sidewalks included in the proposal.

J.B. Loring spoke in favor of the proposal as recommended by the applicant.

Mr. Clifton asked for further clarification on the entrances/exits to the subdivision if the motion passes without the connector street to Hamilton Church Road.

Mr. Clifton also asked for clarification on whether there are safety issues involved if they pass a motion not including the connection to Hamilton Church Road.

The Commission discussed the importance of this connection road in some length.

Mr. McLean moved, and Mr. Stewart seconded the motion, which passed unanimously to approve Preliminary Subdivision Plat #2003S-254U-13, without requiring the stub street on the northwest side to be constructed, but to include the radii for the curbs, as well as a guardrail and signage stating the future roadway connection. **(6-0)**

Resolution No. 2003-431

“BE IT RESOLVED by the Metropolitan Planning Commission that Preliminary Subdivision Plat No. 2003S-254U-13 is APPROVED WITH CONDITIONS, EXCEPT WITH CONSTRUCTION OF CURB RADII, GUARDRAILS, AND SIGN STATING FUTURE ROADWAY CONNECTION AT THE NORTHWEST STREET CONNECTION, BUT NO REQUIREMENT TO BUILD THE NORTHWEST STUB STREET. (6-0)”

Conditions of Approval:

1. The subdivision plat includes the following note, "Existing spring to be rerouted. Construct spring box with pipe beneath street which leads beneath street to detention pond."
2. It is not permissible for an unknown volume of water to be routed from a spring to a detention pond.
3. If the spring is a water of the state, an appeal from the Stormwater Management Committee is required. Documentation from the state is required.
4. The stub street in the northwest corner must be constructed.
5. The connection to Hamilton Church Road must be constructed with the development of this subdivision. Lot 1 shall not have direct access to Hamilton Church Road.
6. The proposed street shall be constructed to collector standards acceptable to Public Works, and the round-about must be eliminated.
7. A bond shall be posted for the construction of the Hamilton Church Road improvements- widening, turn lane, and street extension- in addition to any bonds necessary for infrastructure improvements.

23. 2003S-274U-05
 Martin Subdivision
 Map 73-01, Parcel 166
 Subarea 5 (1994)
 District 7 (Cole)

A request for preliminary and final plat approval to create 4 lots with a sidewalk variance abutting the southeast margin of Avalon Drive and Warden Drive (1.5 acres), classified within the RS10 District, requested by Douglas & Patti Martin, owner, Patrick Coode, surveyor.

The Metropolitan Planning Commission deferred Preliminary Subdivision Plat No. 2003S-274U-05 to the January 8, 2004 meeting at request of the applicant.. (7-0)

24. 2003S-303G-13
 Tillman Property
 Map 164, Parcel 85
 Subarea 13 (2003)
 District 33 (Bradley)

A request for preliminary plat approval for 308 lots abutting the north margin of Pinhook Road, approximately 1,400 feet west of Hobson Pike (83.32 acres), classified within the RS10 district, requested by Global Development, Inc., owner/developer, MEC, Inc., surveyor.

Staff Recommendation - *Approve with conditions*, including any conditions from Metro Public Works that are received prior to the Planning Commission meeting.

APPLICANT REQUEST

Preliminary Plat -Subdivide 83.32 acres into a 308-lot Cluster Lot subdivision, at a proposed density of 3.69 dwelling units per acre.

ZONING

RS10 District - RS10 district, requiring a minimum lot size of 10,000 square feet and permits a maximum of 308 single-family lots on this property.

CLUSTER LOT OPTION - Under the proposed cluster lot option, lot sizes can be reduced up to two zoning districts (5,000 square feet) with the installation of landscape buffer yards along the perimeter of the site where the proposed lots are less than 10,000 square feet.

The plan proposes lots that range in size from 5,002 to 17,570 square feet.

Pursuant to Section 17.12.080 (D) of the Zoning Code, cluster lot subdivisions require a minimum of 15% open space per phase.

SUBDIVISION DETAILS - This development is part of the 375.52 acre “Windhaven Shores” rezoning in the Antioch area from the summer of 2002 (ORDINANCE NO. BL2002-1148 and 2002Z-071G-13).

School Site Dedication - The rezoning was conditioned that prior to final plat approval, a school site, in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students, shall be offered for dedication to the Metro Board of Education, the offer of such school site being proportional to the development’s student generation potential. The developer has already begun working to fulfill this requirement. Mandatory Referral 2003M-096U-13 authorizes the acceptance of an 11 acre school site and was recommended for approval by the Planning Commission on September 11, 2003 and adopted by Metropolitan Council on November 18, 2003.

Details - The proposed plat provides 11 stub-streets to be extended in the future should the adjacent properties develop. These stub-streets are necessary to provide an interconnected street network in this rapidly developing area. These connections will provide alternative travel routes to schools and future neighborhood centers outlined in the Subarea 13 Plan.

Five lots are designated as critical lots due to adjacent sinkholes. A geotechnical investigation of these sinkholes will be required prior to final plat approval for any lots in the drainage area of a sinkhole in danger of having water back up on them from detention and/or the floodplain of the sinkhole during a 100 year storm. These lots shall have a minimum lowest floor elevation established, including any unfinished basement. Prior to the issuance of any building permits for lots designated with an (*), a geotechnical inspection shall be required before footings are poured.

Six lots will have double frontage on Hobson Pike. Two of the lots are below 10,000 square feet and will require a “B” landscape buffer yard. The other four lots are larger than 10,000 square feet and a landscape buffer yard is not required. Since the subdivision design leaves a strip of common open space at the rear of the lots, staff recommends that the “B” buffer yard continue along all double frontage lots on Pin Hook Road.

PUBLIC WORKS -Approve with the following conditions:

1. Approvals are subject to the review and approval of construction plans.
2. Include a 3-ft Public Pedestrian Access Easement along the outside edge of sidewalks.
3. 2 exit lanes are required at the site access on Pin Hook Road. These lanes need to have a minimum 150 feet of storage and transition.
4. A left turn lane and a right turn lane with 150 feet of storage and an ASSHTO taper shall be installed on Pin Hook Road and the site entrance. This entrance is a connector road that will eventually extend through the neighborhood in an east-west direction from Hobson Pike toward Murfreesboro Road.

CONDITIONS

1. Designate the open space strip between lots 121 and 122 and 145 and 146 as a dedicated pedestrian access easement.
2. A “B” landscape buffer yard is required behind all double frontage lots on Pin Hook Road, regardless of lot size.
3. Two exit lanes are required at the site access on Pin Hook Road. These lanes need to have a minimum 150 feet of storage and transition.
4. A left turn lane and a right turn lane with 150 feet of storage and an ASSHTO taper shall be installed on Pin Hook Road and the site entrance. This entrance is a connector road that will eventually extend through the neighborhood in an east-west direction from Hobson Pike toward Murfreesboro Road.

Mr. Kleinfelter announced that Item #24 could be put back on the Consent Agenda. He stated that the person in the audience who wanted to hear this item was no longer at the meeting.

Mr. McLean moved, and Mr. Loring seconded the motion, which passed unanimously to approve Preliminary Subdivision Plat #24, to include the Public Works conditions. (7-0)

Resolution No. 2003-432

“BE IT RESOLVED by the Metropolitan Planning Commission that Preliminary Subdivision Plat No. 2003S-303G-13 is **APPROVED WITH CONDITIONS, INCLUDING PUBLIC WORKS CONDITIONS DISTRIBUTED SEPERATELY TO COMMISSION. (7-0)**

Conditions of Approval:

1. Approvals are subject to the review and approval of construction plans.
2. Include a 3-ft Public Pedestrian Access Easement along the outside edge of sidewalks.
3. 2 exit lanes are required at the site access on Pin Hook Road. These lanes need to have a minimum 150 feet of storage and transition.
4. A left turn lane and a right turn lane with 150 feet of storage and an ASSHTO taper shall be installed on Pin Hook Road and the site entrance. This entrance is a connector road that will eventually extend through the neighborhood in an east-west direction from Hobson Pike toward Murfreesboro Road.
5. Designate the open space strip between lots 121 and 122 and 145 and 146 as a dedicated pedestrian access easement.
6. A “B” landscape buffer yard is required behind all double frontage lots on Pin Hook Road, regardless of lot size.
7. Two exit lanes are required at the site access on Pin Hook Road. These lanes need to have a minimum 150 feet of storage and transition.
8. A left turn lane and a right turn lane with 150 feet of storage and an ASSHTO taper shall be installed on Pin Hook Road and the site entrance. This entrance is a connector road that will eventually extend through the neighborhood in an east-west direction from Hobson Pike toward Murfreesboro Road.

XI. FINAL PLATS

- 25. 2003S-265U-10**
Marengo Park, Resubdivision of Lot 52A
Map 118-10, Parcel 172
Subarea 10 (1994)
District 25 (Shulman)

A request for final plat approval to create 2 lots abutting the southwest corner of Woodmont Boulevard and General Hood Trail, with a request for a sidewalk variance, (0.98 acres), classified within the R10 district, requested by Daniel C. and Susan R. Burton, owners, Alley & Associates, surveyor.

Staff Recommendation - *Approve with conditions* and a variance for sidewalks along Woodmont Boulevard only.

APPLICANT REQUEST

Final Plat - Subdivide one existing 0.57 acre lot located at the intersection Woodmont Boulevard and the General Hood Trail into 2 lots.

ZONING

R10 District - R10 district, requiring a minimum lot size of 10,000 square feet and permits single-family or duplex, however, these lots have not been identified as duplex lots.

SUBDIVISION DETAILS - Lot 52, will contain the existing house, and is 13,695 square feet. Lot 52A is 11,413 square feet. Both lots pass comparability for size and frontage.

SIDEWALK VARIANCE - The applicant has requested a variance from providing sidewalks on both Woodmont Boulevard and General Hood Trail. The applicant has based the request on topographic constraints and lack of sidewalks in the community.

Public Works Recommendation - Although there are only two existing traffic lanes on Woodmont Boulevard, it is a U4 Urban Arterial, which requires 84 feet or right-of-way. The ROW in this location is 70 feet. Seven feet of right of way would be needed on this side of the road. Construction of a sidewalk at this location would likely require extensive grading and/or installation of a retaining wall. Adding a sidewalk in this location is possible, but would be onerous due to topography and numerous utility interferences. No topographic conditions or utility hardships were noted on General Hood Trail that would prevent sidewalk construction.

Planning Recommendation - Approve the request for sidewalk variance on Woodmont Boulevard due to topographic constraints that create a hardship. Disapprove the request for the sidewalk variance on General Hood Trail since there are no physical constraints that would prevent sidewalk construction.

CONDITIONS

1. Written approval must be received from Stormwater Management prior to recording. A verbal conditional approval has been received.
2. Prior to recordation of the final plat, a sidewalk must be added to the plan on General Hood Trail and construction plans must be submitted and approved by the Public Works Department for the sidewalk.

Ms. Fuller presented and stated that staff is recommending approval with conditions and a variance for sidewalks along Woodmont Boulevard only. Ms. Fuller stated that Mr. Burton has presented letters to the Commission members.

Mr. Daniel Burton spoke regarding the proposal and the hardships that have been placed on this proposal in reference to placing sidewalks on General Hood Road. He stated that he spoke with his neighbors who were not in favor of the sidewalks.

Mr. Clifton moved, and Mr. McLean seconded the motion, which passed unanimously to approve Final Plat #2003S-265U-10 to include sidewalk variance on Woodmont Boulevard and General Hood Trail. **(6-0)**

Resolution No. 2003 –433

“BE IT RESOLVED by the Metropolitan Planning Commission that Final Plat 2003S-265U-10 is APPROVED WITH CONDITIONS PLAT AND APPLICANT’S REQUEST FOR SIDEWALK VARIANCE ON WOODMONT BOULEVARD AND GENERAL HOOD TRAIL.(6-0)”

Conditions of Approval:

1. Written approval must be received from Stormwater Management prior to recording. A verbal conditional approval has been received.
2. Prior to recordation of the final plat, a sidewalk must be added to the plan on General Hood Trail and construction plans must be submitted and approved by the Public Works Department for the sidewalk.

26. 2003S-289G-14

Villages of Larchwood, Phase 2, Section 4B, Revision of Lot 74
Map 108-04-A, Parcel 134
Subarea 14 (1996)
District 13 (Burch)

A request for final plat approval for a variance to remove sidewalks for 1 lot abutting the southeast terminus of Fitzpatrick Road, approximately 100 feet southeast of Elmwood Court, (0.16 acres), classified within the R10

Residential Planned Unit Development District, requested by Hillmore Properties, owner/developer, Tom Ragsdale, agent.

The Metropolitan Planning Commission deferred Final Subdivision Plat No. 2003S-289G-14 to the January 8, 2004 meeting at the applicant's request. (7-0)

XII. PLANNED UNIT DEVELOPMENTS (revisions)

27. 309-84-U-12

Hickory Point at Brentwood
Map 161, Parcels 79 and 195
Subarea 12 (1997)
District 27 (Foster)

A request for final approval for the Planned Unit Development located abutting the north margin of Old Hickory Boulevard, east of Amalie Drive, classified RM15, (25.3 acres), to permit the development of 298 multi-family units, requested by Ragan-Smith Associates for 15174 Old Hickory Boulevard LLC, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Final PUD- Request for Final PUD approval to allow for the development of a 298-unit multi-family complex, on a 25.3-acre tract. The property is located along the north side of Old Hickory Boulevard, west of Nolensville Pike.

PLAN DETAILS

This residential PUD was originally approved by Metro Council in 1984, and allowed for the development of a 300-unit apartment complex on the 25-acre site. The PUD was most recently revised and given final PUD approval, for the 300-unit complex, in July 1986. That project never developed. Most recently, a request for revision to the PUD was brought before the Planning Commission on September 25, 2003, which reduced the number of units to 298 and revised the building layout and internal private drive system. That revision was approved by the Commission.

The 25-acre site rises from Old Hickory Boulevard to the north and peaks at an existing water tower. The developer is proposing to develop the site in a stepped-down manner to Old Hickory Boulevard and will provide one main private drive through the site with pods of buildings located off of this spine road. A clubhouse / recreational facility and leasing office will be provided at the base of the hill near the single point of access, which will be off of Hickory Villa Drive in the southeast corner of the site.

METRO PUBLIC WORKS' COMMENTS

Metro Public Works is calling for the construction of one 11-foot entering lane and two 11-foot exiting lanes off of Old Hickory Boulevard. The applicant has agreed to provide the necessary data / documentation to prove that congestion will not occur with the existing drive width. They agreed to provide trip generation data, stop control data on intersecting drives, and are also choosing to document hardships created by topographic features and existing utility poles. Until Planning Department staff receives an alternate recommendation from Metro Public Works, staff is adding Public Works' request as a condition to the Final PUD approval.

CONDITIONS

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A consolidation plat must be recorded prior to the recordation of the Horizontal Property Regime and its associated exhibits.
2. Temporary construction traffic, as well as post-construction permanent traffic, shall only enter and exit the site via Hickory Villa Drive and Old Hickory Boulevard. There shall be no access to or from Huntington Parkway.
3. One 11-foot entering lane and two 11-foot exiting lanes shall be constructed at the roadway cut onto Old Hickory Boulevard.

4. 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.
5. 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.
6. 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.
7. 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.

Approved with Conditions (8-0), Consent Agenda

Resolution No. 2003 -434

“BE IT RESOLVED by the Metropolitan Planning Commission that Planned Unit Development No. 309-84-U-12 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A consolidation plat must be recorded prior to the recordation of the Horizontal Property Regime and its associated exhibits.
2. Temporary construction traffic, as well as post-construction permanent traffic, shall only enter and exit the site via Hickory Villa Drive and Old Hickory Boulevard. There shall be no access to or from Huntington Parkway.
3. One 11-foot entering lane and two 11-foot exiting lanes shall be constructed at the roadway cut onto Old Hickory Boulevard.
4. 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.
5. 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.
6. 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.
7. 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.”

- 28. 88P-054G-13**
 South Shores, Phase 2
 Map 165, Parcel 11
 Subarea 13 (2003)
 District 32 (Coleman)

A request for final approval for a phase of the Planned Unit Development located abutting the south margin of Hamilton Church Road, west of Lavergne-Couchville Pike, classified RS10, (13.81 acres), to permit the development of 51 single-family lots, requested by Barge, Waggoner, Sumner and Cannon for CMH Parks, Inc., owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Final PUD - Request for Final PUD approval of Phase 2 of the South Shore Residential PUD to allow for the development of 51 single-family lots. The property is located south of Hamilton Church Road and west of LaVergne-Couchville Pike.

PLAN DETAILS

The proposed plan is consistent with the most recently-revised preliminary plan, dated February of 2000.

Connectivity - Although the proposed Phase 2 final PUD plan is consistent with the approved preliminary plan, staff requested that the applicant provide a vehicular connection to the Hallmark subdivision, which is west of the approximate location of Shore View Circle on this plan. The applicant has not agreed to the connection, but staff is seeking this connection due to the temporary turnaround provided in the Hallmark subdivision and due to the importance of providing interconnectivity between residential uses to ease the impact on the collector and arterial roadways in the county.

METRO PUBLIC WORKS' COMMENTS

All of Metro Public Works' comments were addressed by the applicant. No exception taken.

CONDITIONS

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A final plat must be recorded prior to the issuance of any building permits.
2. A stub-street connection needs to be provided from the southwest corner of this phase of the subdivision to the Hallmark subdivision located west of this site.
3. 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.
4. 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.
5. 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.
6. 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.

Mr. Mitchell presented and stated that staff is recommending approval with conditions.

Mr. Bill Lockwood, Barge Waggoner, Sumner & Cannon, spoke in favor and to approve the plan as submitted, without connection street requirement.

Mr. Clifton expressed concerns regarding the subarea plan and the timing of the adoption in reference to this proposal.

McLean moved, and Mr. Clifton seconded the motion, which passed unanimously, to approve Final Plat #88P-054G-13 without the inclusion of the connector street. **(6-0)**

Resolution No. 2003 –435

“BE IT RESOLVED by the Metropolitan Planning Commission that Planned Unit Development No. 88P-054G-13 is **APPROVED WITH CONDITIONS, WITHOUT STUB STREET. (6-0)**

Conditions of Approval:

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A final plat must be recorded prior to the issuance of any building permits.
2. A stub-street connection needs to be provided from the southwest corner of this phase of the subdivision to the Hallmark subdivision located west of this site.
3. 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.
4. 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.
5. 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.
6. 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.”

- 29. 89P-031G-13**
Smith Springs PUD
Map 136, Parcels 154 and 155
Subarea 13 (2003)
District 29 (Wilhoite)

A request for final approval for the Commercial Planned Unit Development located abutting the north margin of Smith Springs Road at Old Smith Springs Road, classified AR2a, (6.79 acres), to permit the development of a 60,000 square foot retail, food service, convenience sales shopping center, requested by McKinney Engineering for Dorothy Pugh owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Final PUD - Request for final PUD approval for a portion of the Smith Springs PUD to allow for the development of 60,000 square feet of retail, restaurant and office on a 6.79-acre parcel located on the north side of Smith Springs Road, east of Anderson Road.

PLAN DETAILS

The final PUD plan, as submitted, complies with the revised preliminary PUD plan, which was revised in July of 1996. The plan provides for two points of ingress and egress on Smith Springs Road and detention facilities located throughout the site – mainly along the periphery of the parking areas. The plan proposes 60,000 square feet of retail, restaurant and commercial uses to be separated into five different buildings – where the two largest buildings would be located to the rear of the site and three smaller outparcels located adjacent to Smith Springs Road.

This development is proposed next to an existing commercial shopping center, which is located to the east at the corner of Smith Springs Road and Anderson Road. The existing commercial development, as well as this commercial PUD, is located within a Neighborhood Retail node as called for within the Subarea 13 Plan.

TRAFFIC ENGINEER'S COMMENTS

This item was originally scheduled for the August 28, 2003, MPC meeting. However, the traffic engineer requested an updated Traffic Impact Study (TIS) to address changes in traffic counts and road network since the last review of the TIS in 1989. The applicant has since submitted an updated TIS, from which the following conditions arose:

1. Construct an eastbound 11 ft left turn lane with 100 feet of storage, with appropriate AASHTO transition, on Smith Springs Road at the westernmost project driveway. This turn lane shall also continue along the frontage of the property to provide a left turn lane with 100 ft of storage into the easternmost project driveway and connect the turn lane to the existing left turn lane at Old Smith Springs Road.
2. Provide cross access along the eastern property line from the proposed shopping center into the existing shopping center. Provide a cross access easement along the western property line for any future development.
3. Smith Springs Road is classified as a 4 lane arterial cross section per the major street plan; Developer shall dedicate or reserve, as necessary, ½ of the required ROW for a 4 lane arterial and install ½ of the required pavement. This road widening will include installation of the previous mentioned left turn lane.
4. Roadway widening shall be designed and constructed with adequate alignment of through and left turn lanes and transitions per AASHTO standards.
5. The plans shall show continuation of the left turn lane extending to the left turn lane at Old Smith Springs Road intersection. All travel lanes on Smith Springs Road shall be a minimum of 12 ft wide. The left turn lane shall be designed to provide a smooth transition to the existing left turn on Smith Springs Road.
6. Two site driveways shall be allowed. The westernmost drive shall be 24 ft wide with one entering and one exiting lane. The easternmost drive shall be 33 ft wide with one 13 ft wide exiting lane and one 10 ft wide lane for left turns and one 10 ft wide lane for right turns.
7. Adequate parking shall be provided per the zoning regulations.

CONDITIONS

1. 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.
2. This approval is subject to all of the Public Works' recommendations listed above.
3. 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.
4. 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.
5. 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.
6. A final plat needs to be recorded before the issuance of any building permits.

Approved with Conditions (8-0), Consent Agenda

Resolution No. 2003 –436

“BE IT RESOLVED by the Metropolitan Planning Commission that Planned Unit Development No. 89P-031G-13 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Construct an eastbound 11 ft left turn lane with 100 feet of storage, with appropriate AASHTO transition, on Smith Springs Road at the westernmost project driveway. This turn lane shall also continue along the frontage of the property to provide a left turn lane with 100 ft of storage into the easternmost project driveway and connect the turn lane to the existing left turn lane at Old Smith Springs Road.
2. Provide cross access along the eastern property line from the proposed shopping center into the existing shopping center. Provide a cross access easement along the western property line for any future development.
3. Smith Springs Road is classified as a 4 lane arterial cross section per the major street plan; Developer shall dedicate or reserve, as necessary, ½ of the required ROW for a 4 lane arterial and install ½ of the required pavement. This road widening will include installation of the previous mentioned left turn lane.
4. Roadway widening shall be designed and constructed with adequate alignment of through and left turn lanes and transitions per AASHTO standards.
5. The plans shall show continuation of the left turn lane extending to the left turn lane at Old Smith Springs Road intersection. All travel lanes on Smith Springs Road shall be a minimum of 12 ft wide. The left turn lane shall be designed to provide a smooth transition to the existing left turn on Smith Springs Road.
6. Two site driveways shall be allowed. The westernmost drive shall be 24 ft wide with one entering and one exiting lane. The easternmost drive shall be 33 ft wide with one 13 ft wide exiting lane and one 10 ft wide lane for left turns and one 10 ft wide lane for right turns.
7. Adequate parking shall be provided per the zoning regulations.
8. 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.
9. 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.
10. 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.
11. 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.
12. A final plat needs to be recorded before the issuance of any building permits.”

- 30. 98P-001G-14**
Alta Lake, Phase II
Map 97, Parcel 152
Subarea 14 (1996)
District 14 (White)

A request for final approval for a phase of the Planned Unit Development located abutting the north margin of Bell Road, east of Dodson Chapel Road, classified RM9, (10.9 acres), to permit the construction of 156 multi-family units, requested by Ragan-Smith and Associates for Bennett-Volunteer LLC, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Final PUD - Request for Final PUD approval for the Alta Lake Residential PUD to allow for the development of a 156-unit townhouse project within Phase 2 of the PUD. The property is located east of Dodson Chapel Road and between Interstate 40 and Bell Road.

PLAN DETAILS

The plan proposes 156 multi-family units within a total of six (6) buildings that are located along either side of a single private drive that extends north into the site from Bell Road. The most recent action on this site was a revision to preliminary, which was approved by the Planning Commission on October 23, 2003. This revision reduced the number of multi-family units from 196 to 156, removing the need for any development bonuses that were provided as a part of the previously approved plan. Prior to the October 2003 revision, the previous revision to the plan was approved by the Metro Planning Commission in November of 1999. That revised preliminary plan allowed for the development of 366 multi-family units in Phase 1, 196 multi-family units within Phase 2, and provided for the dedication of a 16-acre tract along Dodson Chapel Road and Bell Road to Metro Government for use as a Metro Park. The 1999 approval also provided final PUD approval to allow for the development of Phase 1 and to allow for the development of a greenway trail throughout the dedicated (Phase 3) site and a portion of Phase 2.

The site design of the current plan does not propose significant changes from the previously approved (1999) plan. The proposed plan provides for one point of ingress and egress off of Bell Road. Detention will be provided on-site and constructed in conjunction with the deepening and widening of an existing wet-weather stream bed.

METRO PUBLIC WORKS' COMMENTS - The applicant addressed all of Metro Public Works' comments. The only outstanding comment, to date, is the status of a \$30,000 contribution for roadway improvements at the Dodson Chapel Road/ Central Pike intersection. According to the applicant, this issue is currently being addressed between their legal counsel and the Metro Department of Law. Until this issue is resolved, this concern will be added as a condition of approval for this final PUD request.

CONDITIONS

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A final plat must be recorded prior to the recordation of the Horizontal Property Regime and its associated exhibits.
2. Receipt of a \$30,000 roadway improvement contribution shall be forwarded to the Metro Planning Department staff prior to the issuance of any building permits, unless otherwise directed by the Metropolitan Department of Law.
3. 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.
4. 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.
5. 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.
6. 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.

Approved with Conditions (8-0), Consent Agenda

Resolution No. 2003 -437

"BE IT RESOLVED by the Metropolitan Planning Commission that Planned Unit Development No. 98P-001G-14 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A final plat must be recorded prior to the recordation of the Horizontal Property Regime and its associated exhibits.
2. Receipt of a \$30,000 roadway improvement contribution shall be forwarded to the Metro Planning Department staff prior to the issuance of any building permits, unless otherwise directed by the Metropolitan Department of Law.
3. 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.
4. 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.
5. 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.
6. 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.”

- 31. 2001P-009G-13**
Maxwell Place
Map 176, Parcel 27
Subarea 13 (2003)
District 32 (Coleman)

A request for final approval of the Planned Unit Development located abutting the south margin of Maxwell Road, east of Lavergne-Couchville Pike, classified RS10 (15.30 acres), to permit the development of 62 single-family lots, requested by Crouch Engineering for Continental Development, owner.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST

Final PUD - Request for Final PUD approval of the Maxwell Place PUD to allow for the development of a 62-lot, single-family subdivision. The property is located south of Maxwell Road, east of LaVergne-Couchville Pike.

PLAN DETAILS

This request is for Final PUD approval of a Planned Unit Development located on the south side of Maxwell Road, east of LaVergne-Couchville Pike to permit 62 single-family lots. The developer also plans to designate six (6) of the 62 lots for affordable housing.

Affordable Housing Density Bonus - The PUD is proposed on 15.3 acres at a density of 4.05 dwelling units per acre. The existing RS10 zoning permits a maximum density of 3.7 single-family dwelling units per acre. Under the RS10 zoning, 57 single-family lots would be permitted. Using the 10% affordable housing density bonus that is permitted in PUD districts (Section 17.36.090B), however, 62 single-family lots are permitted.

Subarea Plan Compliance - Although the overall proposed density is 4.05 dwelling units per acre, which is slightly higher than the Subarea 13 Plan’s Residential Low Medium (RLM) policy of 2 to 4 dwelling units per acre, it is consistent with the goal of providing a diversity of housing types. This plan includes a mixture of market rate housing and affordable housing in close proximity to one another. The plan provides two public roads from Maxwell Road, with one stub-street to the east to provide a connection for future development. It also provides

private alleys, internally, to create a streetscape with homes fronting the public streets and garages in the rear. The southern portion of the PUD will remain undeveloped in common open space due to two sinkholes.

Stormwater Management - During Preliminary PUD review, Stormwater proposed to require approval by the Tennessee Department of Environment (TDEC) prior to final PUD approval since these sinkholes were originally proposed to be used for stormwater runoff. Furthermore, a special note was placed on the plan requiring a geotechnical investigation of each sinkhole, to determine which one has the best geological features to receive the stormwater, prior to final PUD approval. Upon submittal of their request for final PUD approval, the applicant decided that the sinkholes would not be used for stormwater management. All stormwater will now be routed along the north and northeast corners of the site, and will flow – at a specified rate – into the existing public stormwater easement along Maxwell Road. The TDEC approval and geotechnical investigations are not required at this time – unless the applicant decides at a later point to reconsider using the sinkholes for stormwater management.

METRO PUBLIC WORKS’ COMMENTS

At the time of Preliminary PUD approval, the Metro Traffic Engineer indicated that the developer will be required to widen Maxwell Road along the frontage of this property to collector street standards. No other off-site road improvements will be required since the roads in this area are expected to be able to accommodate the traffic to be generated by this development.

CONDITIONS

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits.
2. Maxwell Road shall be widened to Collector Street standards along the frontage of this property.
3. 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.
4. 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.
5. 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.
6. 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.

Approved with Conditions (8-0), Consent Agenda

Resolution No. 2003 –438

“BE IT RESOLVED by the Metropolitan Planning Commission that Planned Unit Development No. 2001P-009G-13 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits.
2. Maxwell Road shall be widened to Collector Street standards along the frontage of this property.
3. 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.

4. 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.
5. 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.
6. 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."

- 32. 2003P-002G-02**
 Cobblestone Creek, Phase 1
 Map 41, Part of Parcel 2
 Subarea 2 (1995)
 District 3 (Hughes)

A request for final approval for Phase One of the Planned Unit Development located abutting the north margin of Old Hickory Boulevard, 1,250 feet west of Brick Church Pike, classified R8, (6.23 acres), to permit the development of 26 single-family lots, requested by Bruce Rainey and Associates for M. R. Stokes, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Final PUD approval - Request for Final PUD approval of Phase 1 of the Cobblestone Creek PUD to allow for the development of 26 single-family lots, as well as a request to revise the preliminary plan for phase lines. The property is located north of Old Hickory Boulevard and west of Brick Church Pike.

PLAN DETAILS

The plan proposes 26 single-family lots on 6.23 acres, which extend north off of Old Hickory Boulevard. Phase 1 of the PUD begins the north-south construction of Cobblestone Creek roadway and approximately 175 feet of Ryan Allen Circle, which will loop through the entire subdivision. Also, the 5,000-square foot cemetery, in the southwest corner of the subdivision will be preserved within open space and recorded as part of this Phase 1 plat. Lot sizes range from 4,815 to 7,024 square feet.

METRO PUBLIC WORKS' COMMENTS

All of Metro Public Works' comments were addressed by the applicant; but there are still conditions that carry over from the approval of the preliminary PUD plan that have yet to be shown on the plan. They are as follows:

1. On the entrance roadway from Old Hickory Boulevard, provide one 14-foot entrance lane and two 12-foot exiting lanes for 150 feet north of the right-of-way line of Old Hickory Boulevard. The exiting lanes are to be signed and striped as a mandatory right turn lane and left turn lane, respectively.
2. Provide a 12-foot eastbound right turn lane on Old Hickory Boulevard at the entrance roadway. This lane shall be 150 feet in length.
3. Provide a 12-foot westbound left turn lane on Old Hickory Boulevard at the entrance roadway. This lane shall be 150 feet in length.
4. All lanes shall be constructed with tapers in accordance with ASHTO standards.

CONDITIONS

1. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A final plat for Phase 1 must be recorded prior to the issuance of any building permits.
2. Unless grading permits have been issued for a specified phase of development, grading and site clearing must be limited to areas of infrastructure improvement.

3. 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.
4. 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.
5. 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.
6. 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.

Approved with Conditions (8-0), Consent Agenda

Resolution No. 2003 -439

“BE IT RESOLVED by the Metropolitan Planning Commission that Planned Unit Development No. 2003P-002G-02 is **APPROVED WITH CONDITONS. (8-0)**

Conditions of Approval:

1. On the entrance roadway from Old Hickory Boulevard, provide one 14-foot entrance lane and two 12-foot exiting lanes for 150 feet north of the right-of-way line of Old Hickory Boulevard. The exiting lanes are to be signed and striped as a mandatory right turn lane and left turn lane, respectively.
2. Provide a 12-foot eastbound right turn lane on Old Hickory Boulevard at the entrance roadway. This lane shall be 150 feet in length.
3. Provide a 12-foot westbound left turn lane on Old Hickory Boulevard at the entrance roadway. This lane shall be 150 feet in length.
4. All lanes shall be constructed with tapers in accordance with ASHTO standards.
5. A PUD boundary plat, if one has not been recorded, must be recorded prior to the issuance of any building permits. A final plat for Phase 1 must be recorded prior to the issuance of any building permits.
6. Unless grading permits have been issued for a specified phase of development, grading and site clearing must be limited to areas of infrastructure improvement.
7. 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.
8. 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.
9. 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.
10. 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.

XIII. MANDATORY REFERRALS

33. 2003M-123U-14

Property acquisition-Stewarts Ferry Pike/ McCampbell Avenue
Map 96-02, Parcel 68
Map 96-06, Parcels 45, 133, 134, 135, 136, 137, 137.01
Map 96-07, Parcels 1, 1-01, 1-02, 1-03 and 2
Subarea 14 (1996)
District 14 (White)

A request to acquire property located at the intersection of Stewarts Ferry Pike and McCampbell Avenue, for intersection improvements and realignment of McCampbell Avenue, including signalization, turn lanes and sidewalks, requested by the Department of Real Property Services.

Staff Recommendation - Approve

APPLICANT REQUEST - A request to acquire property located at the intersection of Stewarts Ferry Pike and McCampbell Avenue, for intersection improvements and realignment of McCampbell Avenue, including signalization, turn lanes and sidewalks, requested by the Department of Real Property Services.

DEPARTMENT AND AGENCY COMMENTS - NES has facilities in the designated area that may need relocating due to intersection improvements. Additional easements may be needed prior to any relocation of NES equipment.

RECOMMENDATION - The following departments or agencies have reviewed this request and recommended approval: Public Works, Historical Commission and Emergency Communications Center.

Approved (8-0), Consent Agenda

Resolution No. 2003 –440

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-123U-14 is **APPROVED. (8-0)**”

34. 2003M-125U-11

Water and Sewer Line Abandonment, Willowbrook Market Place
Map 119-11, Parcels 163-172
Map 119-15, Parcels 123 and 124
Subarea 11 (1999)
District 16 (McClendon)

A request to abandon a water and sewer line, Metro project Nos. 03-WG-185 and 03-SG-188, located on the southwest corner of Thompson Lane and I-24 East, and the northwest corner of Briley Parkway and I-24 East, in the Willowbrook Market Place, requested by the Metro Department of Water and Sewerage Services.

Staff Recommendation - Approve

APPLICANT REQUEST - A request to abandon a water and sewer line, Metro project Nos. 03-WG-185 and 03-SG-188, located on the southwest corner of Thompson Lane and I-24 East, and the northwest corner of Briley Parkway and I-24 East, in the Willowbrook Market Place, requested by the Metro Department of Water and Sewerage Services.

APPLICATION REQUIREMENTS – None.

DEPARTMENT AND AGENCY RECOMMENDATIONS - This item is recommended for approval by Nashville Electric Service, Metro Water & Sewerage Services, and the Emergency Communications Center. Planning staff supports the requested water and sewer line abandonment.

Approved (8-0), Consent Agenda

Resolution No. 2003 –441

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-125U-11 is **APPROVED. (8-0)**”

- 35. 2003M-126U-13**
Sewer line extension and easement on Harding Place
Map 135, Parcels 96, 98 and 99
Subarea 13 (2003)
District 28 (Alexander)

A request for a sewer line extension and easement acquisition on two properties located at 1821 and 1823 Old Murfreesboro Pike and 1824 Murfreesboro Pike, on the north margin of Murfreesboro Pike and the south margin of Old Murfreesboro Pike, (1.95 acres), Metro Water Services Project No. 03-SG-128, requested by the Department of Water and Sewerage Services.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for a sewer line extension and easement acquisition on two properties located at 1821 and 1823 Old Murfreesboro Pike and 1824 Murfreesboro Pike, on the north margin of Murfreesboro Pike and the south margin of Old Murfreesboro Pike (1.95 acres), Metro Water Services Project No. 03-SG-128, requested by the Department of Water and Sewerage Services.

APPLICATION REQUIREMENTS – None.

DEPARTMENT AND AGENCY RECOMMENDATIONS - This item is recommended for approval by Nashville Electric Service, Metro Water & Sewerage Services, and the Emergency Communications Center. Planning staff supports the requested sewer line extension and easement acquisition.

Approved (8-0), Consent Agenda

Resolution No. 2003 –442

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-126U-13 is **APPROVED. (8-0)**”

- 36. 2003M-127U-11**
Easement acquisition for a water main on Visco Drive
Map 94, Parcel 4
Map 94-09, Parcels 20 and 85
Subarea 11 (1999)
District 15 (Loring)

A request for easement acquisition for a 48" Omohundro water main, located at 70 Fesslers Lane, 905 Visco Drive, and 1400 Pumping Station Road, on the southeast corner of Fesslers Lane and Visco Drive and the east terminus of Pumping Station Road, (24.86 acres), Metro Water Services Project No. 03-WG-153, request by the Department of Water and Sewerage Services.

Staff Recommendation - Conditional approval

APPLICANT REQUEST - A request for easement acquisition for a 48" water main, located at 70 Fesslers Lane, 905 Visco Drive, and 1400 Pumping Station Road, on the southeast corner of Fesslers Lane and Visco Drive and the

east terminus of Pumping Station Road (24.86 acres), Metro Water Services Project No. 03-WG-153, request by the Department of Water and Sewerage Services.

APPLICATION REQUIREMENTS - None

DEPARTMENT AND AGENCY RECOMMENDATIONS -

Nashville Electric Service (NES) - NES is recommending conditional approval. NES has facilities along the proposed route, which may be in conflict with the water main installation. NES needs notification prior to any pipe installation.

This item is recommended for approval by Metro Water & Sewerage Services and the Emergency Communications Center. Planning staff supports the requested easement acquisition.

Approved (8-0), Consent Agenda

Resolution No. 2003 –443

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-127U-11 is **APPROVED WITH CONDITIONS. (8-0)**”

Conditions of Approval:

1. NES has facilities along the proposed route, which may be in conflict with the water main installation. NES needs notification prior to any pipe installation.

-
- 37. 2003M-128U-05**
Sewer line and easement abandonment on Gallatin Pike
Map 72-03, Parcel 175
Subarea 5 (1994)
District 8 (Hart)

A request for sewer line and easement abandonment on one lot located at 3518 Gallatin Pike, at the southeast corner of Gallatin Pike and Howard Avenue, (1.0 acres), Metro Water Services Project No. 03-SG-193, requested by the Department of Metro Water and Sewerage Services.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for sewer line and easement abandonment on one lot located at 3518 Gallatin Pike, at the southeast corner of Gallatin Pike and Howard Avenue (1.0 acres), Metro Water Services Project No. 03-SG-193, requested by the Department of Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS - None

DEPARTMENT AND AGENCY RECOMMENDATIONS - This item is recommended for approval by Nashville Electric Service, Metro Water & Sewerage Services, and the Emergency Communications Center. Planning staff supports the requested sewer line and easement abandonment.

Approved (8-0), Consent Agenda

Resolution No. 2003 –444

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-128U-05 is **APPROVED. (8-0)**”

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- 38. 2003M-129U-05**
Street Sign Encroachment for Historic Edgefield
Map 82, Various Parcels

Map 93, Various Parcels
Subarea 5 (1994)
District 6 (Jameson)

A request for street sign encroachment for Historic Edgefield, located on the corners of South 5th, 6th, 7th, 8th, 9th and 10th Streets, and Woodland Street, Russell Street, Fatherland Street, Prospect Street, Boscobel Street, and Shelby Avenue (27 total), for the purpose of erecting street signage in the public right-of-way, requested by the Historic Edgefield Homeowners Association.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for street sign encroachment for Historic Edgefield, located on the corners of South 5th, 6th, 7th, 8th, 9th and 10th Streets, and Woodland Street, Russell Street, Fatherland Street, Prospect Street, Boscobel Street, and Shelby Avenue (27 total), for the purpose of erecting street signage in the public right-of-way, requested by the Historic Edgefield Homeowners Association.

APPLICATION REQUIREMENTS

License to Encroach Agreement - Yes, one was submitted

Insurance Certificate - Yes, one was submitted providing general liability of \$1,000,000 for each occurrence and \$2,000,000 for aggregate coverage.

Property Owner Sign Application - No, signed by a representative of Historic Edgefield, Inc.

DEPARTMENT AND AGENCY COMMENTS

This request is to install new street signs and posts at the above listed intersections that are specially designed to reflect the historic character of the neighborhood and include "Historic Edgefield" on each signage blade. In addition to installing the new signs, old ones will be removed and improvements made to the surrounding sidewalks as indicated in plans. Planning staff recommends approval of this request.

The Metro Historical Commission recommends approval of this request. This plan was approved by the Metro Historical Zoning Commission in February 2003 under preservation permit number 2003-008.

Public Works recommends approval of this request.

Water Services recommends approval of this request and advises the applicant check with Tennessee One Call. There are existing water and sewer lines in the right-of-ways.

Approved (8-0), Consent Agenda

Resolution No. 2003 –445

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-129U-05 is **APPROVED. (8-0)"**

- 39. 2003M-131U-09**
Lease Agreement with Nashville Children's Theatre
Map 93-11, Parcel 199
Subarea 9 (1997)
District 19 (Wallace)

An Ordinance, drafted by the Metropolitan Department of Real Property Services, authorizing the Metropolitan Government of Nashville and Davidson County to enter into a lease agreement with the Nashville Academy Theatre and Nashville Children's Theatre Association, for use of the Nashville Children's Theatre, located at 724 Second Avenue South, on the Howard School Building Campus.

Staff Recommendation - *Approve*

APPLICANT REQUEST - An Ordinance, drafted by the Metropolitan Department of Real Property Services, authorizing the Metropolitan Government of Nashville and Davidson County to enter into a lease agreement with the Nashville Academy Theatre and Nashville Children's Theatre Association, for use of the Nashville Children's Theatre, located at 724 Second Avenue South, on the Howard School Building Campus.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

RECOMMENDATION - The following departments or agencies have reviewed this request and recommended approval: Historical Commission, NES and Emergency Communications Center.

Approved (8-0), Consent Agenda

Resolution No. 2003 –446

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-131U-09 is **APPROVED. (8-0)**”

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- 40. 2003M-132U-08**
Lease Agreement with H & H Associates, Inc.
Map 82-05, Parcel 127
Subarea 8 (2002)
District 19 (Wallace)

An Ordinance, drafted by the Metropolitan Department of Real Property Services, authorizing the Metropolitan Government of Nashville and Davidson County to enter into a lease agreement with H & H Associates, Inc., for use as a parking facility, located at 1508 3rd Avenue North, on the southeast corner of 3rd Avenue North and Hume Street.

Staff Recommendation - Approve

APPLICANT REQUEST - An Ordinance, drafted by the Metropolitan Department of Real Property Services, authorizing the Metropolitan Government of Nashville and Davidson County to enter into a lease agreement with H & H Associates, Inc., for use as a parking facility, located at 1508 3rd Avenue North, on the southeast corner of 3rd Avenue North and Hume Street.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

RECOMMENDATION - The following departments or agencies have reviewed this request and recommend approval: Historical Commission, NES and Emergency Communications Center.

Approved (8-0), Consent Agenda

Resolution No. 2003 –447

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-132U-08 is **APPROVED. (8-0)**”

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- 41. 2003M-133U-08**
Lease Agreement with Baugh an Pardue, LLC
Map 82-05, Parcel 151
Subarea 8 (2002)
District 19 (Wallace)

An Ordinance, drafted by the Metropolitan Department of Real Property Services,

authorizing the Metropolitan Government of Nashville and Davidson County to enter into a lease agreement with Baugh and Pardue, LLC, for ingress and egress to an adjacent property, located at 2nd Avenue North (unnumbered), on the southeast corner of 2nd Avenue North and Cement Plant Road.

Staff Recommendation - Approve

APPLICANT REQUEST - An Ordinance, drafted by the Metropolitan Department of Real Property Services, authorizing the Metropolitan Government of Nashville and Davidson County to enter into a lease agreement with Baugh and Pardue, LLC, for ingress and egress to an adjacent property, located at 2nd Avenue North (unnumbered), on the southeast corner of 2nd Avenue North and Cement Plant Road.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

RECOMMENDATION - The following departments or agencies have reviewed this request and recommend approval: Historical Commission, NES and Emergency Communications Center.

Approved (8-0), Consent Agenda

Resolution No. 2003 –448

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-133U-08 is **APPROVED. (8-0)**”

- 42. 2003M-135U**
Comprehensive Strategic Sidewalk Plan Year 01

An Ordinance, drafted by the Metropolitan Department of Real Property Services, to outline twenty-one individual projects for the Comprehensive Strategic Sidewalk Improvement Projects - Year 01.

Staff Recommendation - Approve

APPLICANT REQUEST - An Ordinance, drafted by the Metropolitan Department of Real Property Services, to outline twenty-three individual projects for the Comprehensive Strategic Sidewalk Improvement Projects - Year 01, and to acquire property associated with those improvements.

The projects are: 18th Avenue North Project No. 03-M-25, 23rd Avenue North Project No. 03-M-27, 24th Avenue North Project No. 03-M-28, South 14th Street Project No. 03-M-29, Laurent Street Project No. 03-M-30, Lebanon Pike Project No. 03-M-31, Benjamin Street Project No. 03-M-34, Lillian Street Project No. 03-M-35, South 15th Street Project No. 03-M-36, Crutcher Street Project No. 03-M-37, Warner Street Project No. 03-M-38, Graybar Lane Project No. 03-M-40, Richards Street Project No. 03-M-41, 19th Avenue North Project No. 03-M-42, Capers Avenue Project No. 03-M-43, Hamilton Avenue Project No. 03-M-44, Moore Avenue Project No. 03-M-45, Martin Street Project No. 03-M-46, Burbank Avenue Project No. 03-M-47, Sevier Court Project No. 03-M-48, Sevier Street Project No. 03-M-49, Russell Street Project No. 03-M-50, Glen Echo Road Project No. 03-M-52

DEPARTMENT AND AGENCY COMMENTS - Other departments and agencies have not yet had the opportunity to comment on this request.

RECOMMENDATION - The Planning Department recommends approval subject to receiving all required departmental and agency approvals.

Approved (8-0), Consent Agenda

Resolution No. 2003 –449

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-135U is **APPROVED. (8-0)**”

XIV. OTHER BUSINESS

43. Contract with Tennessee Department of Transportation for regional transit planning program.

Approved (8-0), *Consent Agenda*

44. Employee Contract for Jennifer Carlat, Community Communications Officer

Approved (8-0), *Consent Agenda*

45. Executive Director Reports

46. Legislative Update

a. ADJOURNMENT

There being no further business, upon motion made, seconded and passed, the meeting was adjourned at 8:40 p.m.



Chairman

Secretary