

MINUTES
OF THE
METROPOLITAN PLANNING COMMISSION

Date: December 6, 2001
Time: 1:00 p.m.
Place: Howard Auditorium

Roll Call

Present:

Douglas Small, Vice Chairman
Stewart Clifton
Frank Cochran
Tonya Jones
James McLean
Ann Nielson
Councilmember John Summers

Absent:

Mayor Bill Purcell
James Lawson, Chairman
Judy Cummings

Staff Present:

Jerry Fawcett, Planning Manager 2
Ann Hammond, Assistant Executive Director/Planning
Marcus Hardison, Planner I
Lee Jones, Planner I
Jeff Lawrence, Assistant Executive Director/Operations
Robert Leeman, Planner II
Carolyn Perry, Administrative Assistant
Jennifer Regen, Planning Manager 2
Chris Wooton, Planning Technician I

Others Present:

Brook Fox, Legal Department
Chris Koster, Mayor's Office
Mark Macy, Public Works

Vice Chairman Small called the meeting to order.

ADOPTION OF AGENDA

Staff announced the following changes to the agenda:

- 16.2001Z-122U-05, has changed to read CS and RS7.5 districts to OR20 or OL
- 41. S2001S-319U-03, R. Anderson Subdivision, should include Parcel 52
- 70. 2001M-122G-12, Mill Creek Trunk Sewer to Nolensville Pike, remove Map 33, Parcel(s) 108

Ms. Nielson moved and Mr. Cochran seconded the motion, which unanimously passed, to adopt the agenda.

Vice Chairman Small announced item 32.99S-097U-12, Villages of Brentwood, Phase 11 would be the first item before the Commission.

APPROVAL OF MINUTES

Nielson moved and Cochran seconded the motion, which unanimously passed, to approve the minutes of the regular meeting of November 5, 2001.

RECOGNITION OF COUNCILMEMBERS

Councilmember Lynn Williams spoke in favor of item 17. 2001Z-123-10. She also spoke regarding item 30. 2001S-336U-10, Heath Subdivision, expressed concerns regarding storm water runoff, and objected to the density of item 31. 2001S-351U-10.31, Woodmont Hall.

Councilmember Vic Lineweaver stated he had spoken before on items 6. 2001Z-112G-06 and 7. 2000P-005G-06, Walgreens-Bellevue. These maybe deferred today, but that he had asked a year ago for this area be looked at and is asking again. He stated that he and the Bellevue Chamber of Commerce are in favor of item 13. 2001Z-118G-06 because there will be no apartments, only condos, and will keep off of the hillside.

PUBLIC HEARING: ANNOUNCEMENT OF DEFERRED ITEMS

At the beginning of the meeting, staff listed the deferred items as follows:

- 6. 2001Z-112G-06, Deferred indefinitely.
- 7. 2000P-005G-06, Deferred indefinitely.
- 11. 2001Z-116U-10, Deferred indefinitely.
- 12. 2001Z-117U-10, Deferred indefinitely.
- 19. 2001Z-125G-13, Deferred indefinitely.
- 26. 2001S-308U-14, Deferred indefinitely.
- 33. 2000S-114G-06, Deferred indefinitely.
- 60. 300-84-U-04, Deferred indefinitely.
- 75. Amendments to Subdivision Regulations (Sidewalks), Deferred indefinitely.

Ms. Nielson moved and Mr. Clifton seconded the motion, which unanimously passed, to close the public hearing and defer the items listed above.

PUBLIC HEARING: ADOPTION OF CONSENT AGENDA

Ms. Nielson moved and Mr. McLean seconded the motion, which unanimously carried, to close the public hearing approve the following items on the consent agenda:

ZONING MAP AMENDMENTS AND TEXT AMENDMENTS

- 2. 2000Z-090U-12**
Council Bill No. BL2001-907

Map 160-00, Parcel(s) 81 (.95 ac); Map 160, Parcel(s) 83 (.80ac), 84 (2.01ac)
Subarea 12 (1997)
District 32 (Jenkins)

A council bill to change from R40 district to RM4 district properties at 5606 Cloverland Drive, 675 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered), at the southeast corner of Old Hickory Boulevard and Cloverland Drive (3.76 acres), requested by Dan Burton, appellant, for Daniel Burton, Jerry C. Whitehurst et ux and D. Wayne Whitehurst et ux, owners.

Staff recommends *conditional approval* subject to necessary road improvements.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request was originally scheduled for the August 31, 2000, Commission meeting, but the applicant requested to defer indefinitely. The applicant was then placed on the November 8, 2001, Commission and due to a lack of quorum the meeting was cancelled. The request is now a council bill to change 3.75 acres from R40 (residential) to RM4 (residential) district at 5606 Cloverland Drive and 659 and 675 Old Hickory Boulevard, at the intersection of Cloverland Drive and Old Hickory Boulevard. The existing R40 district is intended for residential single-family and duplexes at 1 dwelling unit per acre. The proposed RM4 district is intended for single-family, duplex, and multi-family dwellings at 4 units per acre. With RM4 zoning, up to 15 dwelling units could be constructed versus 4 dwelling units under the current R40 zoning.

Staff recommends approval of the RM4 zoning since it is consistent with the Subarea 12 Plan's Residential Medium (RM) policy, which calls for 4 to 9 dwelling units per acre. While RM policy permits up to a maximum of 9 units per acre, the Subarea 12 Plan indicates that no more than 6 units per acre should be permitted in this policy area. At the October 11, 2001 Commission meeting the Commission approved a zone change for the properties on the opposite side of Cloverland Drive. That zone change was from R40 to RM4 district (2001Z-103U-12).

Traffic

The Metro Traffic Engineer has indicated that a 12 foot dedication of right-of-way along Cloverland Drive is required. The developer of the Seven Springs Commercial PUD will complete the widening of Cloverland Drive, as provided in that PUD's conditions of approval prior to the issuance of the first Use and Occupancy permit for that development.

Schools

A multi-family development at RM4 density will generate approximately 3 students (1 elementary, 1 middle, and 1 high school). Students would attend Granberry Elementary School, McMurry Middle School, and Overton High School. The School Board is currently reviewing school capacity figures and final numbers are not yet available for these schools.

Resolution No. 2001-519

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2000Z-090U-12 is **APPROVED (6-0) subject to road improvements:**

The proposed RM4 zoning is consistent with the Subarea 12 Plan's Residential Medium (RM) policy, which calls for 4 to 9 dwelling units per acre. While RM policy permits up to a maximum of 9 units per acre, the Subarea 12 Plan indicates that no more than 6 units per acre should be permitted in this policy

area. The Metro Traffic Engineer has indicated that a 12 foot wide dedication of right-of-way along Cloverland Drive is required.”

9. 2001Z-114U-08
Map 070-15, Parcel(s) 47
Subarea 8 (1995)
District 20 (Haddox)

A council bill to change from IWD district to MUG district property at 2298 MetroCenter Boulevard, located at the intersection of MetroCenter Boulevard and Athens Way (13.62 acres), requested by Ed Owens of Gresham-Smith and Partners, appellant, for AP Consolidated Theatres II Limited Partnership, owner.

Staff recommends *approval*.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request was originally scheduled for the November 8, 2001, Planning Commission meeting, this meeting was cancelled due to a lack of quorum. This council bill is to change 14 acres from IWD (industrial) to MUG (mixed use) district property at 2298 Metrocenter Boulevard, at the intersection of Metrocenter Boulevard and Athens Way. The existing IWD district is intended for a wide range of warehousing, wholesaling, and bulk distribution uses. The proposed MUG district is intended for a mixture of retail, office and residential uses. The Watkins Institute College of Art and Design is requesting this rezoning to reuse the existing vacant facilities.

The property is located in the Fountain Square section of Metrocenter. Fountain Square was originally designed and planned as a retail center equipped with restaurants, offices, movie theaters and retail stores. Currently most of the retail businesses no longer exist and the building the applicant is proposing to rezone is the vacant movie theater. Prior to 1998, the property was zoned CG (commercial general), which allowed these uses. With the countywide rezoning in 1998 the property was rezoned to the current IWD.

In August 1999, the Metro Council approved rezoning property on Great Circle Road from IWD to MUG district (case # 99Z-070U). The Planning Commission also approved this rezoning along with a Subarea 8 Plan Amendment for Mixed Use (MU) policy. The MU policy boundaries were set from Great Circle Road on the north, Interstate 265 on the east, Metrocenter Boulevard on the south, and 10th Avenue North and Delta Avenue on the west. The proposed property is within the Subarea 8 Plan’s MU policy, which calls for a mixture of compatible residential and non-residential uses. Staff recommends approval of the proposed MUG zoning since it is consistent with the subarea plan.

Subarea 8 Plan Update

The Subarea 8 Plan is currently being updated. The updated plan intends to classify the Fountain Square area with the Corridor Center (CC) policy. The CC policy is intended to apply to established areas that function, and are envisioned to continue functioning, as mixed centers of activity for the neighborhoods they serve. CC is also intended for emerging and undeveloped areas that are planned to be future centers serving multiple neighborhoods. The MUG zoning is also consistent with updated Subarea 8 Plan's CC policy area.

Traffic

The Metro Traffic Engineer indicates that Metrocenter Boulevard and Athens Way can sufficiently accommodate residential, office, and/or commercial traffic generated by MUG zoning.

Resolution No. 2001-520

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-114U-08 is **APPROVED (7-0)**:

The proposed MUG district is consistent with the existing Subarea 8 Plan’s Mixed Use (MU) policy which calls for a mixture of compatible residential and non-residential uses. The MU policy boundaries were established from Great Circle Road on the north, Interstate 265 on the east, Metro Center Boulevard on the south, and 10th Avenue North and Delta Avenue on the west.”

13. 2001Z-118G-06

Map 142-00, Parcel(s) 92 (1 ac); 93 (2 ac); 100 (2.2 ac); 149 (3.55 ac); 166 (3.75 ac)
Subarea 6 (1996)
District 35 (Lineweaver)

A council bill to change from R15 district to RM4 district at 230 and 232 Hicks Road and Hicks Road (unnumbered), approximately 450 feet south of Memphis-Bristol Highway (12.5 acres), requested by Bill Forte of Barge, Cauthen & Associates, appellant, for Edwin B. Raskin, Trustee, and Rush and Karen Williams, owners.

Staff recommends *approval*.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request was originally scheduled for the November 8, 2001, Planning Commission meeting, this meeting was cancelled due to a lack of quorum. This council bill is to change 12.5 acres from R15 (residential) to RM4 (residential) district properties at 230, 232 Hicks Road and Hicks Road (unnumbered), approximately 450 feet south of Old Harding Pike. The existing R15 district is intended for single-family homes and duplexes at 2.47 dwelling units per acre. The proposed RM4 district is intended for single-family, duplex, and multi-family dwelling at 4 units per acre. The applicant is requesting this rezoning to construct townhomes on the properties. With the RM4 zoning the applicant could construct up to 50 dwellings.

Staff recommends approval of the proposed RM4 zoning. This zone change is consistent with the Subarea 6 Plan's Natural Conservation (NC) policy. The NC policy allows for clustering of development due to steep slopes and poor soil. This property has both conditions. The applicant will need to submit a plat to consolidate these properties before development can commence. Due to poor soil conditions, the applicant will need to submit a geotechnical soils report identifying soils and suitability for development with the plat. The plat will also need to identify the areas where development will occur.

Traffic

The Metro Traffic Engineer has indicated that Hicks Road can currently accommodate the traffic generated by the proposed RM4 zoning.

Schools

A multi-family development at RM4 density will generate approximately 7 students (3 elementary, 2 middle, and 2 high school). Students would attend Westmeade Elementary School, Bellevue Middle School, and Hillwood High School. The School Board is currently reviewing school capacity figures and final numbers are not yet available for these schools.

Resolution No. 2001-521

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-118G-06 is **APPROVED (6-0)**:

The proposed RM4 district is consistent with the Subarea 6 Plan's Natural Conservation (NC) policy calling for up to 4 dwelling units per acre with clustered developments to preserve the steep slopes and poor soils. This property has both conditions. Due to the poor soil conditions, a geotechnical soils report identifying soils and suitable areas for development on the property will be submitted and identified with the preliminary plat."

14. 2001Z-120U-14
Map 085-13, Parcel(s) 48
Subarea 14 (1996)
District 15 (Loring)

A council bill to change from CS district to RS10 district property at 235 Cliffdale Road, approximately 450 feet north of Old Lebanon Road (0.44 acres), requested by Anthony Papuchis and Jason Papuchis, owners.

Staff recommends *approval*.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request is to change 0.49 acres from CS (Commercial) to RS10 (Residential) district at 235 Cliffdale Road, approximately 450 feet north of Old Lebanon Pike. The existing CS district is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. The proposed RS10 district is intended for single-family residential dwellings at 3.7 units per acre. Currently the applicant has a single-family home located on the property that is being used as an office. The applicant is requesting this zoning change in order to use the existing structure as a residence. With RS10 zoning, up to two single-family homes could be constructed on the property.

Staff recommends approval of the RS10 zoning since it is consistent with the Subarea 14 Plan's Residential Low Medium (RLM) policy, which calls for 2 to 4 dwelling units per acre. This property is located at the point where a residential policy area and a commercial policy area intersect. Rezoning this property to RS10 district conforms to the RLM policy area and lowers the intensity of property that borders a residential policy area.

Traffic

The Metro Traffic Engineer has indicated Cliffdale Road can sufficiently accommodate the traffic that would be generated by this zone change.

Schools

Due to size of this property it is estimated that this rezoning will generate no new students.

Resolution No. 2001-522

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-120U-14 is **APPROVED (6-0)**:

The proposed RS10 district is consistent with the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for 2 to 4 dwelling units per acre. This property is located at the point where a

residential policy area and a commercial policy area intersect. Rezoning this property to RS10 district conforms to the RLM policy area and lowers the intensity of property that borders a residential policy area.”

17. 2001Z-123U-10

Map 116-16, Parcel(s) 063

Subarea 10 (1994)

District 34 (Williams)

A council bill to change from R20 district to RS20 district property at 4001 Estes Road, approximately 776 feet south of Abbott Martin Road (1.08 acres), requested by A. Michael and Marlene A. Wich, owners.

Staff recommends *approval*.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This council bill is to change 1.08 acres from R20 (residential) to RS20 (Residential) at 4001 Estes Road, located approximately 775 feet south of Abbott Martin Road. The existing R20 district is intended for residential single-family and duplexes at 1.85 dwelling units per acre. The proposed RS20 is intended for single-family residential dwellings at 1.85 units per acre. The applicant is requesting this zone change to accommodate subdividing the property for the addition of one single-family home.

Flag-Shaped Lot

This property is currently a flag-shaped lot. The Subdivision Regulations suggest such lot configuration should be avoided when possible. Allowing this zone change will maintain the flag-shaped lot, but it will limit the type of construction on the property to just one additional single-family home.

Wich Preliminary Plat

The applicant submitted a preliminary plat to the Planning Commission (2001S-306U-10) at the October 25, 2001 MPC meeting. At that meeting, the Commission received public input from neighbors concerned that two duplexes could be constructed. The Planning Commission suggested the applicant find a method to assure that only two single-family homes would be constructed on the property, and deferred the plat indefinitely. With the assistance of planning staff, the applicant submitted this zone change, which if approved, would allow only one single-family home on each lot.

Neighborhood Zoning

Councilmember Williams is holding a community meeting on Wednesday December 5, 2001, to discuss this rezoning. She will also be presenting an option for surrounding neighbors to consider whether they would like to rezone their property to RS20 district as well. Staff will update the Commission at its meeting on the outcome of this community meeting.

Staff recommends approval of the proposed RS20 zoning. This zone change is consistent with the Subarea 10 Plan’s Residential Low (RL) policy, which calls for no more than 2 dwelling units per acre.

Traffic

The Metro Traffic Engineer has indicated that Estes Road can accommodate the traffic that would be generated by RS20 zoning.

Schools

Due to size of the property it is estimated that no new students will be generated.

Resolution No. 2001-523

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-123U-10 is **APPROVED (6-0)**:

The proposed RS20 district is consistent with the Subarea 10 Plan's Residential Low (RL) policy, which calls for no more than 2 dwelling units per acre."

24. 2001UD-001G-12

Lenox Village, Phase 1

Map 172, Parcel(s) Part of 89; Map 173, Parcel(s) Part of 62

Subarea 12 (1997)

District 31 (Knoch)

A request for final plan approval for a residential phase of the Lenox Village Urban Design Overlay district located abutting the east margin of Nolensville Pike, opposite Bradford Hills Drive, classified MUL and RM9 districts, (18.55 acres), to permit 46 single-family lots and 77 townhomes, requested by Anderson-Delk and Associates, for Lenox Village I, LLC, owner.

Staff recommends *conditional approval*

This request is for final plan approval for 77 townhouses and 43 single-family lots on 18.55 acres. The property abuts the east margin of Nolensville Pike, opposite Bradford Hills Drive classified within the RM9, MUL, and Urban Design Overlay Districts. This plan is associated with Item 52, final plat approval for Section 1 to create 33 lots on approximately 6 acres.

The final construction plans for Phase 1 are entirely for residential development of townhomes and detached houses. These plans comply with the Lenox Village UDO Guidelines adopted with the overlay district.

Staff recommends conditional approval subject to:

1. Revision of construction plans to show 15 feet curb radii on the following intersections:
 - a. Nolensville Pike with Lenox Village Drive
 - b. Lenox Village Drive with unnamed "D" street
 - c. Porter House Drive with unnamed "D" street
 - d. Unnamed "B" street with unnamed "D" street
2. Revision of construction plans to show missing sidewalk connections across the following intersections:
 1. Lenox Village Drive with unnamed "D" street
 2. Porter House Drive with Heaton Way
 3. Porter House Drive with unnamed "D" street
 4. Unnamed "B" street with unnamed "D" street
3. Revision of construction plans to add a sidewalk ramp across the planting strip on Lenox Village Drive between lots 13 and 14.
 1. Revision of the construction plans to add pedestrian way that enables access into Ponds A and B with final placement to be adjusted in the field.
 2. Addition of a note to the construction plans to require submittal of as-built drawings reflecting any adjustments made in the field to finalize treatment of boulder placements, grades, landscape materials and pedestrian access ways.

6. Revised construction plans that satisfy items 1 through 5 must be submitted to the Planning Department prior to submittal for approval of any plans for construction on platted lots.

Resolution No. 2001-524

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001UD-002U-10 is given **CONDITIONAL APPROVAL OF THE FINAL CONSTRUCTION PLANS (6-0)**: The following conditions apply:

1. The appellant shall submit, prior to the issuance of permits, revised construction plans and sign fabrication plans, which illustrate with dimensions and notes that the proposed signage complies with the urban design overlay district standards.
2. The appellant shall submit, prior to the issuance of permits, revised construction plans, which replaces the term “graphic billboard” on the side elevation with “interchangeable art” and submits a letter of intent, from the owner to the Planning Department and Codes Department, that the area indicated as interchangeable art will not be used for signage or advertisement of any kind.”

25. 2001UD-002U-10

The Tin Roof/Demonbreun Street Development
Map 93-09, Parcel(s) 257
Subarea 10 (1994)
District 19 (Wallace)

A request for final construction plan approval of exterior modifications to an existing building located at 1516 Demonbreun Street (.32 acres), classified in the CF district and the Music Row Urban Design Overlay district, requested by Lowen + Trent, LLC, appellant, for Jim Caden, owner.

Staff recommends *conditional approval* of the final construction plans.

This is a request for final plan approval of exterior modifications for an existing building on Demonbreun Street, within the Music Row Urban Design Overlay District. The work consists of primarily replacing existing storefront windows with a new storefront, the maintenance of the existing exterior, the installation of new exterior finish materials including brick and stucco, increasing the perceived height of the building with an additional parapet above the existing one, the addition of new awnings above the windows and entrances, and the addition of new signage.

The purpose of this review is to determine whether or not the proposed modifications increase the degree of nonconformity with the urban design overlay district standards. Staff concludes that the proposed modifications will not materially increase the degree of nonconformity. However, staff concludes that the proposed signage should be revised to comply with the signage standards of the urban design overlay district. Staff recommends the following conditions of approval:

- a. The proposed signage on the Demonbreun Street façade exceeds the maximum allowable surface display area as described by the urban design overlay district standards. Staff recommends approval of this plan subject to the appellant submitting revised construction plans and signage fabrication plans, which illustrate with dimensions and notes that the proposed signage complies with the urban design overlay district standards.
- b. An area, described as a “graphic billboard” on the construction plans, is indicated on the side elevation and exceeds the maximum allowable surface display area as described by the urban design overlay district standards. The appellant has indicated that the area is not signage or an advertisement, but a location for interchangeable art. Staff recommends approval on the condition that the appellant submit revised construction plans, which replaces the term “graphic billboard” with “interchangeable art” and

submits a letter of intent, from the owner to the Planning Department and Codes Department, that the area will not be used for signage or advertisement of any kind.

Staff recommends approval of the final construction plans with the following conditions:

1. The appellant shall submit revised construction plans and sign fabrication plans, which illustrate with dimensions and notes that the proposed signage complies with the urban design overlay district standards.
2. The appellant shall submit revised construction plans, which replaces the term “graphic billboard” on the side elevation with “interchangeable art” and submits a letter of intent, from the owner to the Planning Department and Codes Department, that the area indicated as interchangeable art will not be used for signage or advertisement of any kind.

Resolution No. 2001-525

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001UD-002U-10 is given **CONDITIONAL APPROVAL OF THE FINAL CONSTRUCTION PLANS (6-0)**: The following conditions apply:

1. The appellant shall submit, prior to the issuance of permits, revised construction plans and sign fabrication plans, which illustrate with dimensions and notes that the proposed signage complies with the urban design overlay district standards.
2. The appellant shall submit, prior to the issuance of permits, revised construction plans, which replaces the term “graphic billboard” on the side elevation with “interchangeable art” and submits a letter of intent, from the owner to the Planning Department and Codes Department, that the area indicated as interchangeable art will not be used for signage or advertisement of any kind.”

PRELIMINARY PLAT SUBDIVISIONS

28. 2001S-325U-12
MILL CREEK VILLAGE (formerly Mill Creek Commons)
Map 162, Parcel(s) 141
Subarea 12 (1997)
District 31 (Knoch)

A request for preliminary and final plat approval to subdivide a parcel into four lots abutting the northwest corner of Bell Road and Blue Hole Road, (23.83 acres), classified within the CL and RM9 districts, requested by Bell Road, L.P., owner/developer, Littlejohn Engineering Associates, Inc., surveyor.

Staff recommends *conditional approval* subject to a bond for the extension of public utilities, road and sidewalk improvements, and demolition of existing structures.

This request is for preliminary and final plat approval to subdivide a 24-acre parcel into four lots abutting the northwest corner of Bell Road and Blue Hole Road. The property is located within the CL and RM9 districts. Lots 1, 2, and 3, within the CL district are being platted as “buildable” lots. Lot 1, within the RM9 district, lacks the necessary easements required to be buildable, and an additional plat to establish the necessary easements will be required in order to make Lot 1 a buildable lot.

Design - Streets

These properties will be gaining access from Bell Road at two points and from Blue Hole Road at two points. No access drive is being shown for Lot 1 because an additional plat will be required to establish access to the lot. A continuous right-hand turn lane will be constructed in the west-bound lane of Bell Road from the Blue Hole Road intersection to the second commercial access drive. This drive is located

along the proposed lot line separating Lot 2 from Lot 3. The Traffic Engineer has indicated that Lot 1 will be required to extend this turn lane to its access drive with a future plat. A significant portion of right-of-way has been dedicated along Blue Hole Road on this plat. This will enable the applicant to widen the street to a three-lane section that includes a left-hand turn lane, a thru-lane, and a right-hand turn lane. This three-lane section will cover the entire length of the property. Sidewalks will be constructed along Blue Hole Road with the road improvements, and sidewalks along Bell Road shall be improved with the installation of the turn lane.

Staff recommends *conditional approval* subject to a bond for the extension of public utilities, demolition of existing structures, and the following road and sidewalk improvements:

1. Install a continuous right-hand turn lane in the west-bound lane of Bell Road from the Blue Hole Road intersection to the second commercial access drive.
2. Widen Blue Hole Road the length of the property to a three-lane section that includes a left-hand turn lane, a thru-lane, and a right-hand turn lane.
3. Construct and upgrade sidewalks along Blue Hole Road and Bell Road.

Resolution No. 2001-526

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-325U-12, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

35. 2001S-143G-13
PARK PLACE, Phase 2
Map 175-00, Parcel(s) Part of 075
Subarea 13 (1996)
District 29 (Holloway)

A request to revise a preliminary plat approval to create 22 lots abutting the northeast terminus of Parks Retreat Drive, approximately, 100 feet northeast of Smokey Mountain Place (8.48 acres), classified within the RM6 district, requested by Park Place Venturees, LLC, owner/developer, SEC, Inc., surveyor.

Staff recommends *approval*.

This request is to revise an approved preliminary plat to subdivide 17.5 acres into 35 lots within the RM6 and RM20 Districts. The property is located on Murfreesboro Pike near LaVergne-Couchville Pike. The original preliminary plat was approved on July 8, 1999 subject to approvals from Water and Sewer and Public Works (1999S-243G). The first phase of this subdivision received final plat approval on January 29, 2000. The second phase was postponed due to an existing cell tower, as described below. Staff recommends approval of this revised preliminary plat.

Cell Tower

In April 2001, a final plat application was filed for phases 2 and 3 (the balance of the approved lots based on the preliminary plat). During the review of that application, it was discovered that a cell tower had been built on the rear portion of the property (where lot 34 is shown). In addition, the cell tower was shown adjacent to lot 34 as a “lease area”. Three issues arose: 1) proximity of cell tower to adjoining residential lots within this subdivision; 2) the creation of a separate non-residential parcel within this subdivision; and 3) a 25’ ingress/egress easement that traversed a number of residential lots.

After this information was shared with the applicant, the application was deferred indefinitely until the Board of Zoning Appeals (BZA) acted on a setback variance. On September 20, 2001, the BZA approved Appeal Case No. 01-086 granting a special exception to reduce the tower’s setback from the abutting street and side lot lines to 45 feet. The entire lease area for the tower will be platted as lot 34 and access to this area will be derived from the new internal street network. This non-residential lot contains 25,455 square feet which exceeds the minimum lot size of 22,000 square feet for a non-residential lot in the RM6 district.

There was a slight shift in the alignment of Banff Park Court, a street in front of the cell tower, to achieve the required setback. This is strictly a minor revision and has no impact to the overall design concept of the project.

Resolution No. 2001-527

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-143G-13, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

37. 2001S-297U-13
PEBBLE TRAIL ADDITION
Map 149-00, Parcel(s) 028
Subarea 13 (1996)
District 28 (Alexander)

A request for final plat approval to create five lots abutting the southeast terminus of Countryside Drive, approximately 140 feet southeast of Rader Ridge Road, (2.12 acres), classified within the R15 district, requested by Jack Williams Construction Company, Inc., owner/developer, MEC, Inc., surveyor.

Staff recommends *conditional approval* subject to a bond for the extension of roads and public utilities.

This request was originally scheduled for the November 8, 2001 Planning Commission meeting but do to a lack of quorum the meeting was cancelled. This request is for final plat approval to create five lots abutting the southeast terminus of Countryside Drive, approximately 140 feet southeast of Rader Ridge Road. The property is located in Antioch and is classified within the R15 district. The five proposed lots all have frontage on Countryside Drive.

The Planning Commission approved a preliminary plat on October 11, 2001, to create these five lots. A sidewalk variance was also approved since there are no sidewalks in the adjoining neighborhood. This final plat conforms to the approved preliminary plat. Staff recommends conditional approval of this final plat subject to a bond for the extension of roads and public utilities.

Resolution No. 2001-528

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-297U-13, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

39. 2001S-314G-04
HARVEY T. CONNER PROPERTY
Map 074, Parcel(s) 037
Subarea 4 (1998)
District 9 (Dillard)

A request for final plat approval to create one lot abutting the east margin of Neelys Bend Road from a larger deeded parcel, approximately 1,976 feet north of Overton Road (2.26 acres), classified within the RS80 district, requested by Sara Conner, owner/developer, Tommy E. Walker, surveyor.

Staff recommends *conditional approval* subject to a flag-lot variance.

This request is for final plat approval to subdivide a 11.43 acres into one lot and one parcel. The lot contains 2.26 acres while the parent parcel will remain with 9.17 acres. The property is located within the RS80 district along Neelys Bend Road.

Flag-Shaped Lot Variance

The applicant is proposing lot 1 as a flag-shaped lot since there is an existing home on the parent parcel. The parent parcel is not a part of this plat since State law does not require the platting of a remainder area of a parcel that exceeds 5 acres in size. Staff supports this variance since the property is in a rural area where large lots and flag-lots dot the landscape. The proposed lot will not be out of character with surrounding properties.

Staff recommends conditional approval of this final plat subject to a flag-lot variance.

Resolution No. 2001-529

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-314G-04, is **APPROVED WITH CONDITIONS AND A VARIANCE FOR A FLAG-SHAPED LOT, SECTION 2-4.2A OF THE SUBDIVISION REGULATIONS (6-0).**”

41. 2001S-319U-03

R. ANDERSON SUBDIVISION
Map 071-14, Parcel(s) 032, 033 & 52
Subarea 3 (1998)
District 2 (Black)

A request for final plat approval to consolidate two lots and one parcel into one lot abutting the west margin of Brick Church Pike, approximately 172 feet south of Fern Avenue (.69 acres), classified within the CS and RS5 districts, requested by Hozell Anderson, owner/developer, Land Surveying, Inc., surveyor.

Staff recommends *conditional approval* subject to a sidewalk variance and the rezoning of parcel 52 from RS5 to CS prior to recordation.

This request was originally scheduled for the November 8, 2001 Planning Commission meeting but do to a lack of quorum the meeting was cancelled. This request is for preliminary and final plat approval to combine 0.69 acres of three existing parcels into one lot abutting the west margin of Brick Church Pike, approximately 170 feet south of Fern Avenue. Parcel 52 is zoned RS5 district and the other two properties, parcels 32 and 33 are zoned CS district.

Sidewalk Variance

The applicant has requested a sidewalk variance due to the future upgrade of Brick Church Pike. If the applicant were to construct the sidewalks at this time, when Brick Church Pike is upgraded those sidewalks would have to be removed and replaced. Staff supports the applicant’s sidewalk variance request based on the future upgrade of Brick Church Pike.

Zone Change

The applicant has submitted an application to rezone parcel 52. At this time his application has been deferred indefinitely in order to consolidate the properties and not create a landlocked property between a CS district and a RS5 district. Prior to the recordation of this final plat the applicant's rezoning application will need to be approved by the Planning Commission and Metro Council. Parcels 32 and 33 (along with parcel 31, not included in subdivision) were rezoned from RS5 to CS (Council Bill: O99-1635, Zone Change Proposal 99Z-021U) by the Council with the Planning Commission’s recommendation on May 24, 1999.

Staff recommends conditional approval subject to a sidewalk variance, the rezoning of parcel 52 from RS5 to CS district.

Resolution No. 2001-530

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-319U-03, is **APPROVED WITH A VARIANCE FOR LOT DEPTH TO WIDTH RATIO, SECTION 2-4.2E OF THE SUBDIVISION REGULATIONS (6-0).**”

42. 2001S-320U-05
EGERTON SUBDIVISION
Map 083-10, Parcel(s) 270
Subarea 5 (1994)
District 6 (Beehan)

A request for final plat approval to reconfigure part of two lots into two lots abutting the north margin of Forrest Avenue, approximately 192 feet east of North 18th Street (.76 acres), classified within the R6 district, requested by John Kohl and Company, surveyor.

Staff recommends *approval* subject to a variance for lot depth to width ratio.

This request is for final plat approval to subdivide .76 acres into two lots on Forrest Avenue, east of North 18th Street within the R6 district. The original plat was recorded in 1890 and contained portions of two lots. The lots in this subdivision were all originally platted as 100 foot wide lots. Over time these lots have been altered by deeds and plats. There are existing sidewalks along Forrest Avenue.

Lot Comparability

A comparability study was prepared to determine whether or not the proposed lots within the subdivision are comparable to the surrounding lots. Both lots pass lot comparability. The minimum allowable lot area for lots within the subdivision is .15 acres, and the minimum allowable frontage is 47.4 feet. Lot 1 contains .39 acres and has 51.4 feet of frontage while lot 2 contains .37 acres and 48.6 feet of frontage.

Lot Width to Depth Variance

A lot’s width is not suppose to exceed its depth by more than four times. Both lots have approximately 50 feet of frontage and a depth of approximately 333 feet, exceeding the 200 foot maximum set forth in the regulations. Staff supports a variance from this standard since there are six other lots along Forrest Avenue (parcels 258, 259, 260, 261, 365, 268, and 269) with a similar depth, as originally platted in 1890.

Staff recommends approval of this final plat subject to a variance for lot width to depth ratio.

Resolution No. 2001-531

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-320U-05, is **APPROVED WITH A VARIANCE FOR LOT DEPTH TO WIDTH RATIO, SECTION 2-4.2E OF THE SUBDIVISION REGULATIONS (6-0).**”

43. 2001S-322U-13
CAMBRIDGE FOREST TOWNHOMES
Map 149-00, Parcel(s) 371
Subarea 13 (1996)
District 28 (Alexander)

A request for final plat approval to record a horizontal property regime with 83 units abutting the southwest corner of Bridgecrest Drive and Rural Hill Road (18.43 acres), classified within the R15 Residential Planned Unit Development District, requested by Craig and Walker Homes, Inc., owner/developer, DBS and Associates, surveyor.

Staff recommends *approval*.

This request is for final plat approval of an 82-townhouse horizontal property regime on 18.43 acres. This development is located at the intersection of Bridgecrest Drive and Rural Hill Road in the R15 Residential PUD of Cambridge Forest. The applicant has provided the necessary landscape buffer along Rural Hill Road and Bridgecrest Drive. Cambridge Forest Townhomes PUD (28-79-G) received final approval on September 30, 2000. That final PUD served as the preliminary plat for this development.

Staff recommends approval of this final plat. A tributary of Mill Creek runs through the middle of this property. The applicant has provided the necessary 50-foot buffer from the edge of the tributary floodway. This subdivision is not required to provide the 25-foot conservation easement/ public greenway trail since it lies along a tributary of Mill Creek not the main creek itself.

Resolution No. 2001-532

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-322U-13, is **APPROVED SUBJECT TO A BOND (6-0).**”

44. 2001S-324G-14

BLOSSOM TRACE, Resubdivision of Lots 9-11
Map 075-12-D, Parcel(s) 030-032
Subarea 14 (1996)
District 12 (Ponder)

A request for final plat approval to reconfigure three lots abutting the southeast corner of Weeping Cherry Lane and Lilac Drive (.61 acres), classified within the RS15 district, requested by Blossom Trace LLC, owner/developer, SEC, Inc., surveyor.

Staff recommends *approval*.

This request is for final plat approval to reconfigure three lots. The properties are located at the intersection of Weeping Cherry Lane and Lilac Drive. These three lots are a part of the Blossom Trace cluster lot subdivision. Sidewalks have been provided along Weeping Cherry Lane and Lilac Drive as a part of the original subdivision. These properties are located within a RS15 zoning district, but under the cluster lot option, the lot may be reduced in size to that permitted in the RS7.5 district.

Staff recommends approval of this final plat since it removes a non-radial lot line. Section 2-4.2 of the Subdivision Regulations states the following:

"In general, side lot lines shall be right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan"

The 3 lots proposed for resubdivision currently contain a non-radial lot line along the northern property line of lot 11. This resubdivision will correct the existing non-radial lot line.

Resolution No. 2001-533

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-324G-14, is **APPROVED (6-0).**”

45. 2001S-326G-06

LEXINGTON POINT, Section 3
Map 126, Parcel(s) Part of 066
Subarea 6 (1996)
District 23 (Bogen)

A request for final plat approval to create 23 lots abutting the north terminus of Lexington Point Drive, approximately 115 feet north of Commonwealth Court (19.64 acres), classified within the RS15 district,

requested by Phillips Builders, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

46. 2001S-327G-06
LEXINGTON POINT, Section 4
Map 126, Parcel(s) Part of 066
Subarea 6 (1996)
District 23 (Bogen)

A request for final plat approval to create 63 lots abutting the north terminus of Lexington Point Drive, approximately 115 feet north of Commonwealth Court (19.64 acres), classified within the RS15 district, requested by Phillips Builders, Inc., owner/developer, Barge, Waggoner, Sumner and Cannon, Inc., surveyor.

Staff recommends *conditional approval* subject to a bond for the extension of roads, sidewalks, and public utilities.

These two requests are for final plat approval for Phase 3 (23 single-family lots) and Phase 4 (63 single-family lots) on 38.8 acres abutting the north terminus of Lexington Point Drive. This property is classified within the RS15 district.

The Planning Commission approved a preliminary plat that encompassed these phases on September 2, 1999 (99S-300G). The preliminary was approved under the Newsom Station Road Improvement fund with a requirement that the developer pay Metro \$724 per lot to help fund future improvements to a portion of Newsom Station Road. These final plats are consistent with the approved preliminary plat. Staff recommends conditional approval subject to a bond for the extension of road, sidewalks, and public utilities for both plats.

Resolution No. 2001-534

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-326G-06, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-327G-06, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

48. 2001S-339U-14
THWEATT-RAWLING SUBDIVISION
Map 096, Parcel(s) 056
Subarea 14 (1996)
District 14 (Stanley)

A request for final plat approval to subdivide one parcel into two lots abutting the north margin of Stewarts Ferry Pike, approximately 410 feet west of Lauer Drive (1.68 acres), classified within the CL Planned Unit Development District, requested by John A. Thweatt and David E. Rawlings, owners/developers, Cherry Land Surveying, Inc., surveyor.

Staff recommends *conditional approval* subject to a bond for the construction of sidewalks and a revised plat citing a recording number for the proposed water quality device prior to recordation.

This request is for final plat approval to subdivide one parcel into two lots on 1.7 acres abutting the north margin of Stewarts Ferry Pike, approximately 410 feet west of Lauer Drive. This property is classified

within the CL Planned Unit Development District. The Stewartwood Annex Commercial PUD was approved by the Planning Commission on October 11, 2001.

The plat matches the approved PUD. The PUD was approved to permit a 3,300 square foot fast-food restaurant with a drive-thru facility, and for final approval for a 1-story, 10,500 square foot office building. The plat proposes to create two lots, one of which is landlocked, where one parcel exists today, to allow each lot to be sold individually. Landlocked parcels are permitted in PUDs since they share joint access. An internal driveway connection to the adjacent property to the west on tax map 96, parcel 57 is shown. The property to the west is an approved Commercial PUD. Both properties will gain their primary access through a joint access driveway on Stewart's Ferry Pike. Sidewalks are shown along Stewart's Ferry Pike.

Staff recommends conditional approval subject to a bond for the construction of sidewalks and a revised plat citing a recording number for the proposed water quality device prior to recordation.

Resolution No. 2001-535

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-339U-14, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

50. 2001S-344U-08
PLAINSMAN GROUP SUBDIVISION
Map 092-10, Parcel(s) 302, 314, 320 & 435
Subarea 8 (1995)
District 21 (Whitmore)

A request for final plat approval to consolidate seven lots, one parcel, part of a closed alley and railroad property into two lots abutting the east margin of 27th Avenue North and the west margin of 26th Avenue North (3.05 acres), classified within the CF and IR districts, requested by Plainsman Group, L.L.C. and H.C.A. Realty, Inc., owners/developers, John Kohl and Company, surveyor.

Staff recommends *conditional approval* subject to a bond for the extension of sidewalks, a revised final plat, and submission of an exception of easement letter for the 8" sewer line that runs beneath the existing building.

This request is for final plat approval to consolidate 3.05 acres containing seven lots, one parcel, part of a closed alley and railroad property into two lots abutting the east margin of 27th Avenue North and the west margin of 26th Avenue North. This property is classified within the CF and IR districts. The McCormick Ashland City and Nashville Railroad and the terminus of the CSX Railroad Line border this property.

This property is located in the Subarea 10 Plan's Mixed Use (MU) policy area, which calls for a mixture of compatible residential and non-residential uses. Consolidating these lots will create a second lot on which new a commercial structure can be built. Currently there is a vacant industrial building on proposed lot 1.

Exception of Public Drainage and Utility Easements

This final plat has created several public utility and drainage easements that the existing building encroaches upon. Metro Public Works has acknowledged these encroachments and considers them a non-issue, since the only portion of the building encroaching into their easements is the building loading docks. There is one easement that is an issue, and it is located beneath the building and contains an 8-inch sanitary sewer line. Metro Water and Sewer Services has placed the following condition of approval on this plat that the applicant obtain an exception to an easement from Metro Water and Sewer.

Sidewalks

Currently there are sidewalks located along the property's frontage on 26th Avenue North and one block south along Charlotte Avenue. The revised final plat shall show sidewalks along the property's 27th Avenue North frontage. Sidewalks along 27th Avenue North shall match the sidewalks along 26th Avenue

North and Charlotte Avenue. The MU policy in this area lends itself to an area with a need for comfortable pedestrian circulation. Constructing sidewalks along 27th Avenue North will allow the opportunity for MU growth in this area.

Staff recommends conditional approval subject to bonds for extension of sidewalks, the submission of an exception of easement letter to Metro Water and Sewer Services, and submission of a revised final plat showing the following:

1. Sidewalks along the property's 27th Avenue North frontage.
2. Metro Public Works approval of sidewalk plans along 27th Avenue North.

Resolution No. 2001-536

BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-344U-08, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

52. 2001S-348G-12

LENOX VILLAGE, Section 1
Map 172, Parcel(s) Part of 089; Map 173, Parcel(s) Part of 062
Subarea 12 (1997)
District 31 (Knoch)

A request for final plat approval to create 33 lots abutting the east margin of Nolensville Pike, opposite Bradford Hills Drive (6.07 acres), classified within the RM9, MUL and Urban Design Overlay Districts, requested by Regent Development, LLC, owner/developer, Anderson-Delk and Associates, Inc., surveyor.

Staff recommends *conditional approval*

This request is for final plat approval for Section 1 to create 33 lots on approximately 6 acres. The property abuts the east margin of Nolensville Pike, opposite Bradford Hills Drive classified within the RM9, MUL, and Urban Design Overlay Districts. This plat is associated with Item 24, final plan approval for 77 townhouses and 43 single-family lots on 18.55 acres.

Staff recommends conditional approval subject to:

1. Revision of the plat to show a sidewalk ramp across the planting strip on Lenox Village Drive between lots 13 and 14 and the changes made to the final construction plans along Lenox Village Drive.
2. Addition of a note to the plat limiting the number of secondary dwellings to 25% of the lots.
3. Incorporation of any revisions to the final plat required by the Department of Public Works to comply with its standards.
4. Posting of a bond for all public improvements for Section 1 including turn lane, crosswalks and pedestrian signals at the intersection of Nolensville Pike and Lenox Village Drive prior to recording the final plat.

Resolution No. 2001-537

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-348G-12, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

53. 2001S-352G-12

CHURCH STREET EAST, Lot 1
Map 171, Parcel(s) 029-031

Subarea 12 (1997)
District 32 (Jenkins)

A request for final plat approval to consolidate two lots and one parcel into one lot abutting the north margin of Church Street East, opposite Overlook Boulevard (2.26 acres), classified within the CS and OG districts, requested by Mooreland Title Company, LLC, owner/developer, Crawford Land Surveyors, surveyor.

Staff recommends *conditional approval* subject to a revised plat prior recordation.

This request is for final plat approval to consolidate 2.26 acres of two lots and one parcel into one lot abutting the north margin of Church Street East, opposite Overlook Boulevard. This property is located on the Davidson County/ Williamson County line in the CS and OG zoning district within the Brentwood Station Storage PUD. The Brentwood Station Storage PUD (2001P-006U) received final approval on November 2, 2001. That final PUD served as the preliminary plat.

As a condition of the final PUD approval the applicant had to receive approval from the City of Brentwood. The approval from the City of Brentwood was conditioned upon the applicant providing a bond for road improvements to the portion of the Church Street East within the City of Brentwood. Brentwood's Planning Director, Joe Lassus, has indicated he did not object to Metro approving this final plat. The applicant will have to go to Brentwood and get a bond for road improvements before a permit can be received to make any improvements on Church St. East on Brentwood's side of the street.

Staff recommends conditional approval subject to submission of a revised final plat that shows:

1. A drainage easement around the water quality device and pond located in the southwest corner of the property that labels the easement as a 'Public Utility and Drainage Easement'. Also cite the agreement recording number.
2. Sidewalks along Church Street East, these sidewalks will need to meet Public Works approval.
3. The note: 'Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with Storm Water Management Ordinance No. 78-840 and approved by the Metropolitan Department of Public Works.
4. A note identifying this plat to serve as the PUD Boundary Plat.
5. The zoning boundary line between the CS and OG zoning districts.
6. A note that states the Section of the Zoning Ordinance that covers Unified Plats of Subdivision (17.40.170.C). Also include a note that specifically states that section 17.40.170.C.6 was used in calculating the floor area ratio (FAR)
7. The Site Data Table from drawing C2.1 of the approved final PUD plan.

Resolution No. 2001-538

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-352G-12, is **APPROVED WITH CONDITIONS AND SUBJECT TO A BOND (6-0).**”

PLANNED UNIT DEVELOPMENTS (revisions)

55. 28-79-G-13
Cambridge Forest, Phase 4
Map 149, Parcel(s) Pt of 371
Subarea 13 (1996)
District 28 (Alexander)

A request for final approval for a phase of the Residential Planned Unit Development District located abutting the west margin of Rural Hill Road, north of Bridgecrest Drive, classified RS15 district (15.29

acres), to permit the development of 53 single-family lots, requested by Anderson Delk and Associates, for Beazer Homes Corporation, owner.

Staff recommends *conditional approval*.

This request is for final approval for a phase of the Residential PUD district located along the north side of Bridgecrest Drive, west of Rural Hill Road, to develop 53 single-family lots on 15 acres. The Planning Commission approved a revised preliminary PUD plan on July 19, 2001, for Phases 4, 5, 6, 7, and 10 permitting 144 single-family lots. The final plan for Phase 4 is consistent with that preliminary plan. The Phase 4 plan includes 9 lots that have been designated as critical lots due to steep topography. These lots will require an individual grading plan to be submitted to the Planning Department for review and approval by Public Works, prior to the issuance of any building permits. Staff recommends conditional approval provided Public Works approves the grading and drainage plans and Water Services approve the plans prior to the Planning Commission meeting.

Resolution No. 2001-539

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 28-79-G-13 is given **CONDITIONAL FINAL APPROVAL (6-0)**: The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded and bonds shall be posted for all necessary public improvements, including construction of roads and extension of utilities.
3. Prior to the issuance of any building permits for lots designated as critical lots, a Critical Lot plan shall be submitted for review and approval by the Metro Department of Public Works and the Planning Department staff.”

56. 122-82-U-12
Grassmere Business Park
Map 132, Parcel(s) 1
Subarea 12 (1997)
District 26 (Arriola)

A request to revise the preliminary plan for a phase of the undeveloped Commercial Planned Unit Development District located at the northeast corner of Trousdale Drive and Elysian Fields Road, classified R10 (4.48 acres), to permit the development of 54,000 square feet of office space in three buildings, replacing a 75,000 square foot three-story office building, requested by Civil Site Design Group for LBP Grassmere LLC, owner.

Staff recommends *conditional approval*.

This request is to revise the preliminary plan for an undeveloped phase of the Commercial PUD district located at the corner of Elysian Fields Road and Trousdale Drive to permit three office buildings in two phases, replacing one office building. The plan proposes a one-story 11,300 square foot building, a two-story 11,700 square foot building, and a two-story 31,000 square foot building for a total of 54,000 square feet, replacing a three-story building with 75,000 square feet. The proposed plan orients the proposed buildings toward Trousdale Drive and maintains the same access points with one on Trousdale Drive and one through an existing driveway on Grassmere Park Drive. This plan reduces a portion of the landscaped area on the south side of the site from 90 feet to 70 feet, while only a 20 foot “C” buffer yard is required. Staff recommends conditional approval provided Public Works approves the drainage plans prior to the Planning Commission meeting.

Resolution No. 2001-540

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 122-82-U-12 is given **CONDITIONAL APPROVAL OF A REVISION TO PRELIMINARY FOR A PHASE (6-0)**: The following conditions apply:

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. With any request for final approval the plans shall provide for water quality and address detention requirement of the Metropolitan Department of Public Works.
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.
4. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.”

57. 75-83-U-12

Elysian Fields Shopping Center
Map 133-15, Parcel(s) Pt. of 153
Subarea 12 (1997)
District 26 (Arriola)

A request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development District located abutting the west margin of Nolensville Pike, across from Paragon Mills Road (4.59 acres), classified SCC district, to permit a gas station with 5 pump islands and a 96 square foot kiosk in the parking area of the Kroger Shopping Center, requested by CEI Engineering Associates, for Life Investors Insurance Company of America, owner.

Staff recommends *conditional approval*.

This item was deferred at the October 25, 2001, meeting to allow more time for the applicant to meet with the neighborhood to discuss the proposal. The applicant has indicated that all issues have been resolved.

This request is to revise a portion of the preliminary PUD plan and for final approval for a portion of the Commercial (General) PUD district located at the existing Kroger store on the west side of Nolensville Pike. The request is to permit the development of a gas station with five (5) pump islands, a 96 square foot kiosk, and a 131 square foot restroom facility, replacing overflow parking for the Kroger store on this parcel. The plan includes five (5) pump islands with no direct access to Nolensville Pike. All access will be through an existing private driveway on the Kroger site. Staff recommends conditional approval provided Water Services and Public Works approves this plan, prior to the meeting. This plan reduces the number of parking spaces in this shopping center by 70 spaces. The PUD has a surplus of parking.

The site’s SCC base zoning allows automobile convenience (i.e. gas station) uses as a PC use (Permitted with Conditions). This plan complies with the Zoning Ordinance requirements. It includes a minimum street frontage of 100 feet, gasoline pumps that are at least 20 feet from the nearest property line and 20 feet from Nolensville Pike, no outdoor loudspeakers, and a screened trash dumpster.

The Zoning Administrator has indicated this site does not need to meet all of the same requirements as the Kroger gas station in Bordeaux. That gas station was approved by the Commission earlier this year. Unlike the Bordeaux facility, this gas station will provide restrooms on-site. This site will be developed similarly to the Kroger site approved in Nashboro Village in September 2001.

Resolution No. 2001-541

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 75-83-U-12 is given **CONDITIONAL APPROVAL FOR A REVISION TO THE PRELIMINARY PLAN AND FINAL FOR A PORTION (6-0)**: The following conditions apply:

1. Prior to the issuance of any building permit, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. 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.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
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.”

58. 77-83-U-12

National Car Wash-Nolensville Road and Swiss Avenue
Map 161, Parcel(s) 213
Subarea 12 (1997)
District 31 (Knoch)

A request to revise the preliminary plan and for final approval of a portion of the Commercial Planned Unit Development District located abutting the west margin of Nolensville Pike and the north margin of Swiss Avenue, classified SCR district (2.53 acres), to permit a 4,021 square foot, 8-bay self-service car wash, replacing a 15,050 square foot undeveloped office building, requested by National Car Wash, LLC, appellant, for NENR Investments, LLC, owner.

Staff recommends *conditional approval*.

This request is to revise a portion of the preliminary plan and for final approval for a portion to permit a 4,021 square foot, 8-bay self-service car wash, replacing a 15,050 square foot undeveloped office building. The proposed car wash is consistent with the approved plan that provided two driveway access points-- one on Nolensville Pike and one on Swiss Avenue. This revision is also consistent with the existing Subarea 12 Plan’s Retail Concentration Super Community (RCS) policy calling for a wide range of retail and consumer service uses, and the existing SCR zoning that allows car washes as a PC (permitted with conditions) use. Staff recommends conditional approval provided Public Works and Water Services approve the plans prior to the Planning Commission meeting.

This plan meets all of the required conditions under Section 17.16.070 of the Zoning Ordinance for car washes, including:

- A 50-foot setback from the adjacent residential zone district;
- Car-wash bays do not face any residentially zoned property;
- The Zoning Administrator has agreed to allow the existing 18 foot tall hill between this property and the property to the west to serve as the required wall; the applicant has also agreed to provide a D-1 (50') landscape buffer, where only a 20 foot wide buffer is required on the west side of the site;
- Required parking (2 spaces for each stall or 16 spaces);
- The PUD will be conditioned that there shall be no outdoor loudspeakers or public address system;
- The PUD will be conditioned that no vehicle may be stored or parked on the premises for the purpose of offering it for sale.

Resolution No. 2001-542

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 77-83-U-12 is given **APPROVAL OF A REVISION TO PRELIMINARY AND CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**: The following conditions apply:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. 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.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
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.

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.”

59. 53-84-U-12
Hickory Heights
Map 161, Parcel(s) 93
Subarea 12 (1997)
District 31 (Knoch)

A request to revise the preliminary plan of the Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard and the terminus of Swiss Avenue, classified RM15 district (44.98 acres), to permit the development of 100 single-family lots and 184 apartment units, approved for 1,114 multi-family units of which 178 have been constructed, requested by Dale and Associates, appellant, for AHR Development, Inc., owner.

Staff recommends *conditional approval*.

This request is to revise a portion of the preliminary plan for the Residential PUD district located abutting the south margin of Zermatt Avenue and the west margin of Swiss Avenue to permit 100 single-family lots

and 184 apartment units in 23 buildings, where 1,114 apartment units were approved on the preliminary PUD plan in 1985. This plan includes 43 single-family lots in Phase 1, 57 single-family lots in Phase 2, 56 apartment units in Phase 3, and 128 apartment units in Phase 4. This area falls within the Subarea 12 Plan's Residential Medium High (RMH) policy calling for 9 to 20 dwelling units per acre. This portion of the PUD plan will have an overall density of 6.3 dwelling units per acre, while the original plan proposed a density of approximately 7.1 dwelling units per acre. The RM15 base zoning on this property would allow 674 multi-family units, while this plan 284 total units/lots. Staff recommends conditional approval provided Public Works and Water Services approve the plan, and a revised plan is submitted removing or relocating lot 40 prior to the Planning Commission meeting.

Traffic

A traffic impact study (TIS) has been submitted and has been reviewed by the Metro Traffic Engineer. The TIS and the Metro Traffic Engineer are requiring several off-site road improvements, including:

1. Prior to the issuance of any Use and Occupancy permits, a separate eastbound right-turn lane shall be constructed on Old Hickory Boulevard at Zermatt Avenue. This turn lane shall include at least 100 feet of storage with a 300-325 foot transition.
2. Prior to the issuance of any Use and Occupancy permits, a dedicated westbound left turn lane shall be striped on Old Hickory Boulevard at Zermatt Avenue within the existing continuous two-way center turn lane on Old Hickory Boulevard. This turn lane shall include at least 100 feet of storage with a 300-325 foot transition.
3. Prior to the issuance of a Use and Occupancy permit for the 51st single-family lot/unit, a separate right-turn lane shall be constructed on Nolensville Pike at Swiss Avenue, including 75 feet of storage with a transition to AASHTO standards. Construction plans shall be submitted in conjunction with the final PUD plans for the first phase of development.
4. Prior to the issuance of any Use and Occupancy permits for the first phase, Zermatt Avenue shall be widened and striped to include one southbound entering lane and two northbound exiting lanes. The northbound lanes shall include a minimum of 150 feet of storage with a transition to AASHTO standards. Construction plans shall be submitted in conjunction with the final PUD plans for the first phase of development.
5. Prior to the issuance of any Use and Occupancy permits for the first phase, Swiss Avenue shall be widened and striped to include one westbound entering lane and two eastbound exiting lanes. The eastbound exiting lanes shall be striped as separate left and right turn lanes with a minimum of 100 feet of storage with a transition to AASHTO standards.
6. As per the Metro Traffic Engineer, a bond shall be established with the first final plat by the developer for a possible traffic signal at the intersection of Old Hickory Boulevard/Zermatt Avenue, and the intersection of Nolensville Pike/Swiss Avenue. Traffic count surveys shall be performed by the owners/developers of the properties and submitted to the Metro Traffic Engineer at 75 percent build-out of the proposed PUD plan (213 units/lots). If the traffic signal(s) are warranted at this time, the developer shall install the signal(s), and if they are not warranted, the bond will be released.

Resolution No. 2001-543

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 53-84-U-12 is given **PRELIMINARY PUD APPROVAL AND CONDITIONAL FINAL PUD APPROVAL (6-0)**: The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. As required by the Metro Traffic Engineer and the Traffic Impact Study, the following traffic improvements shall be required:

3. Prior to the recording of a final plat for any phase, a bond shall be posted for a traffic signal at the intersection of Old Hickory Boulevard and Zermatt Avenue, as per an agreement between the Metro Traffic Engineer and the applicant (See Attached). The traffic signal shall be installed prior to the issuance of any Use and Occupancy permits for any phase. No right turn lane will be required with the installation of the traffic signal.
3. In conjunction with any final PUD plans, construction details showing an improved turning radius at the southwest corner of Old Hickory Boulevard and Zermatt Avenue shall be submitted for review and approval by the Planning Commission and Public Works Department. The turning radius shall be designed in accordance with the Metro Traffic Engineer's requirements.
4. Prior to the issuance of any Use and Occupancy permits for the 41st unit/lot, Zermatt Avenue shall be widened and striped to include one southbound entering lane and two northbound exiting lanes. The northbound lanes shall include a minimum of 150 feet of storage with a transition to AASHTO standards. Plans detailing these improvements shall be submitted to the Planning Commission in conjunction with final PUD plans for the first phase.
5. Prior to the issuance of any Use and Occupancy permits for the 51st unit/lot, Swiss Avenue shall be striped to include one westbound entering lane and two eastbound exiting lanes. The eastbound exiting lanes shall be striped as separate left and right turn lanes with a minimum of 100 feet of storage with a transition to AASHTO standards. Plans detailing these improvements shall be submitted to the Planning Commission in conjunction with final PUD plans for the first phase.
6. As per an agreement between the applicant and the Metro Traffic Engineer (See Attached), a bond shall be established with the plat that includes the 51st unit/lot for a possible traffic signal at the intersection of Nolensville Pike/Swiss Avenue. The bond shall remain in place for three years there after. If the applicant and Public Works agree that the signal is not warranted after that three year time period, the bond may be released and the developer will be relieved of any obligation to install the signal.
7. Prior to the issuance of a Use and Occupancy permit for any phase, a separate right-turn lane shall be constructed on Nolensville Pike at Swiss Avenue, including 75 feet of storage with a transition to AASHTO standards. Construction plans shall be submitted in conjunction with the final PUD plans for the first phase of development.
8. Prior to the issuance of any building permits, a final plat shall be recorded and bonds shall be posted for all necessary public improvements, including, traffic signals, and construction of roads and extension of utilities.
9. Prior to the issuance of any building permits for lots designated as critical lots, a Critical Lot plan shall be submitted for review and approval by the Metro Department of Public Works and the Planning Department staff.
10. Prior to or in conjunction with the submittal of any final PUD plan for any portion of this PUD, a revised site plan shall be submitted to the Planning Department staff including the removal or relocation of Lot #40, as per the Department of Water Services for access purposes to parcel 179 to the south.”

61. 95-85-P-04

Lanier Park

Map 43-14, Parcel(s) 55, 56 and 57

Subarea 4 (1998)

District 9 (Dillard)

A request to revise the preliminary plan and for final approval of the Residential Planned Unit Development District located abutting the south margin of Old Hickory Boulevard, 550 feet west of Lanier Drive, classified RM15 district (12.05 acres), to permit 45 single-family lots and 27 condominium units, replacing 46 single-family lots and 30 condominium units, requested by Dale and Associates, for Diane and Carter Haviland, owners.

Staff recommends *conditional approval*.

This request is to revise the preliminary PUD plan of an undeveloped Residential PUD district located along the south side of Old Hickory Boulevard, west of Lanier Drive in the Madison area. The plan reduces the number of proposed units/lots by 4. The proposed plan would permit 45 single-family lots and 27 condominium units, replacing 46 single-family lots and 30 condominium units. The Planning Commission approved the current preliminary plan on June 27, 2001.

This PUD plan remains consistent with the previously approved plan that relocated the access driveway on Old Hickory Boulevard from the east side of the property to the PUD's center. The driveway falls outside of the PUD district, but is part of parcel 56 and is owned by the PUD owner. This revision was necessary to address a small stream that was identified during site preparation work. One lot had to be removed and three condominium units had to be removed to meet the Stormwater Management Regulations. This plan includes a mixture of residential housing types with condominiums located near the entrance on Old Hickory Boulevard and single-family lots located on the remainder of the site. This plan provides a stub-out street connection to the rear of parcel 51 on the PUD's western side. Staff recommends conditional approval provided Public Works and Water Services approve the plan prior to the Planning Commission meeting.

Landscape Buffers

Although the single-family lots are similar in size to the surrounding lots (5,000 square feet to 10,000 square feet), the RM15 base zoning requires landscape buffer yards to separate the different zoning districts. This plan includes a "C" landscape buffer yard along the PUD's eastern and southern side, and a "B" buffer yard on the PUD's western side. The buffer yards will be located within the private lots. Typically, landscape buffer yards are required to be placed within common open space, but since this is not a cluster lot development, it satisfies the Zoning Ordinance requirements. There will be a condition placed on this PUD that private fences will be prohibited within 10 feet of the rear property lines where a landscape buffer yard exists within a lot, and that the Homeowner's Association will be responsible for maintenance of these buffer yards.

Resolution No. 2001-544

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95-85-P-04 is given **PRELIMINARY PUD APPROVAL AND CONDITIONAL FINAL PUD APPROVAL (6-0)**: The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. All lots containing required landscape buffer yards shall be restricted from building any fences or walls within the required buffer yard area.
3. The PUD's Homeowner's Association shall be responsible for maintaining all buffer yards within the PUD, including buffer yards within the rear yards of the single-family lots.
4. Prior to the issuance of any building permits, a final plat shall be recorded, including all necessary bonds for public improvements, and shall include any required dedication of right-of-way along Old Hickory Boulevard.

5. 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.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits."

62. 59-86-P-02

Skyline Village Apartments
 Map 60-3, Parcel(s) 142
 Subarea 2 (1995)
 District 4 (Majors)

A request to revise the preliminary plan and for final approval of the Residential Planned Unit Development District located abutting the west margin of Creekwood Drive, east of I-65, classified RS7.5 district (9.93 acres), to permit the development of 80 apartment units and a 3,600 square foot day care center, replacing 105 apartment units and a day care center, requested by John Coleman Hayes, appellant, for Knollcrest Land Partners, owner.

Staff recommends *conditional approval*.

This request is to revise the preliminary plan and for final approval for the Residential PUD district located along the north side of Creekwood Drive to permit 80 apartment units in 10 buildings, and a 3,600 square foot day care center for a maximum of 50 children, replacing 105 apartment units and a day care center for 160 children. The day care center provides a play area, as required by state law. As per the Zoning Administrator, the day care center will not require Board of Zoning Appeals (BZA) approval as a Special Exception since the day care center was originally approved under the previous Zoning Ordinance. That ordinance only required Planning Commission and Metro Council approval. The current ordinance only requires PUD revisions to meet the current zoning requirements for landscaping and parking which this plan does meet. The proposed plan meets the current landscaping and parking requirements. Staff recommends conditional approval provided Public Works and Water Services approve the plans prior to the Planning Commission meeting.

Resolution No. 2001-545

"BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 59-86-P-02 is given **APPROVAL OF THE REVISION TO THE PRELIMINARY PUD PLAN AND CONDITIONAL FINAL PUD APPROVAL (6-0)**: The following conditions apply:

1. Prior to the issuance of any building permit, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. 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.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.

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.
1. 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.”

63. 95P-002G-14
 Heritage Meadows, Phase 4A
 Map 75, Parcel(s) part of 55
 Subarea 14 (1996)
 District 12 (Ponder)

A request to revise a portion of the preliminary plan and for final approval for a phase of the Residential Planned Unit Development District located abutting the east margin of Andrew Jackson Parkway, 300 feet northeast of Weber Road, classified R10 district (4.75 acres), to permit preliminary approval for 37 lots in all of Phase 4, replacing 49 single-family lots, and final approval for 16 single-family lots in Phase 4A and requested by C. Michael Moran, appellant, for Heritage Meadows, Phase 4, LLC, owner.

Staff recommends *conditional approval*.

This request is to revise a portion of the preliminary plan and for final approval for a phase of the Residential PUD district. The preliminary plan revision is for 37 lots on 4.35 acres in Phase 4, replacing 49 single-family lots. The final approval is for 16 single-family lots in Phase 4A. The original preliminary PUD plan was approved in 1995 for a total of 146 single-family lots. This is the last phase of this development to be completed. This proposal reduces the number of lots in this phase due to the Stoner Creek floodway buffer on the southern portion of the site. The Stormwater Management Regulations have changed since the preliminary PUD was approved 1986, therefore, requiring this phase of the development to change. The plan is consistent with the original plan in that it does not provide connections to Bradley Place or an unnamed street off of Mercer Drive to the east. The original plan did not provide these connections and to do so now would require a PUD amendment and Council action. Staff recommends conditional approval provided Public Works and Water Services approve the plans prior to the Planning Commission meeting.

Resolution No. 2001-546

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 95P-002G-14 is given **APPROVAL TO REVISE THE PRELIMINARY AND CONDITIONAL FINAL PUD APPROVAL (6-0)**: The following conditions apply:

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any building permits, a final plat shall be recorded and bonds shall be posted for all necessary public improvements, including construction of roads and extension of utilities.
3. Prior to the issuance of any building permits for lots designated as critical lots, a Critical Lot plan shall be submitted for review and approval by the Metro Department of Public Works and the Planning Department staff.”

64. 98P-002G-13
Villages of Long Hunter, Phase 2
Map 151, Parcel(s) Part of 40, 41 & 82
Subarea 13 (1996)
District 29 (Holloway)

A request for final approval for a phase of the Residential Planned Unit Development District located along the south margin of Hobson Pike, opposite Derbyshire Drive (26 acres), classified RS15 and R15 districts, to develop 106 single-family lots, requested by John Coleman Hayes, P.C., for Ole South Properties, Inc., owner.

Staff recommends *conditional approval*.

This request is for final approval for Phase 2 of the Residential PUD to develop 106 single-family lots where 106 lots were approved. The final plan closely matches the preliminary plan that was approved with a total of 251 single-family lots. The Traffic Engineer required two left-turn lanes out of the site within this PUD in Phase One. Staff recommends conditional approval of the PUD provided Public Works approves the drainage and grading plans, and Water Services approve the plans prior to the Planning Commission meeting.

The preliminary PUD plan was approved in 1998 for a total of 251 single-family lots. At that time sidewalks were only required on one side of the street and were not required on cul-de-sacs of less than 350 feet in length. Since this is not a revision to the preliminary, staff has been working with the applicant to provide a workable sidewalk network for the remainder of this PUD plan. The applicant has agreed, and the plan provides sidewalks on both sides of all of the local streets for Phase 2, while it continues to provide no sidewalks on several of the short cul-de-sacs. This would not require a variance since it is how the original preliminary PUD plan was approved prior to the new sidewalk regulations.

Resolution No. 2001-547

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 98P-002G-13 is given **CONDITIONAL FINAL APPROVAL FOR A PHASE (6-0)**: The following conditions apply:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
2. Prior to the issuance of any permits, the recording of a final subdivision plat and the posting of a bond for all required public improvements.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
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.”

MANDATORY REFERRALS

65. 2001M-104U-07

Naming Un-Named Access Road to "White Bridge Place"
Map 91-14, Parcel(s) 108, 119, 121 & 252
Subarea 7 (2000)
District 22 (Hand)

A request to name an un-named access road "White Bridge Place" in the interest of public safety and to improve E-911 efficiency because the parcels on this road are currently listed as "White Bridge Place", while this road abuts White Bridge Road, requested by the Interim Director of Public Works.

Staff recommends *approval*.

This request was originally scheduled for the November 8, 2001 Planning Commission meeting but do to a lack of quorum the meeting was cancelled. The request is to officially name an unnamed access road "White Bridge Place" for E-911 system efficiency. The access road parallels the eastbound I-40 on-ramp at White Bridge Road. The road serves the Waffle House restaurant and the Comfort Inn. Originally, a different name was proposed by Public Works. After receiving staff's letter informing these property owners of the proposed name change, the Comfort Inn called and e-mailed staff requesting the name change to "White Bridge Place". Public Works conferred with the Vice-President of Operations for the Waffle House. He agreed to the revised name change proposed by the Comfort Inn.

Staff recommends approval of the proposed name change since abutting property owners agree to the name change.

Resolution No. 2001-548

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-104U-07 is **APPROVED (6-0)**."

66. 2001M-115U-07

Closure of Alley #1190
Map 104-05, Parcel(s) 101-103
Subarea 7 (2000)
District 24 (Summers)

A request to close Alley #1190, an unimproved alley from Park Drive to the western edge of parcel 101 on tax map 104-05, requested by Charles V. Smith, property owner. Easements are to be retained.

Staff recommends *conditional approval*.

This request was originally scheduled for the November 8, 2001 Planning Commission meeting but do to a lack of quorum the meeting was cancelled. The request is to close Alley #1190, an unimproved alley from Park Drive to the western edge of parcel 101 on tax map 104-05. The applicant, Mr. Charles Smith, is requesting this closure to construct a garage on his property. All easements are to be retained. Staff field-checked this closure and the alley is not used. It is overgrown and an abutting property owner has constructed two fences within the right-of-way as an obstruction to prevent anyone from using the alley.

Staff recommends conditional approval provided all agencies and departments recommend approval.

Resolution No. 2001-549

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-115U-07 is **APPROVED (6-0)**."

67. 2001M-119G-14

State of Tennessee Stones River Greenway Easement
Map 096, Parcel(s) 02; Map 085, Parcel(s) 19; Map 19,
Parcel(s) 085
Subarea 14 (1996)
District 14 (Stanley)

A council bill authorizing the Director of Parks and Recreation to accept, execute, and record an agreement granting an easement to Metro Government for the Stones River Greenway from the State of Tennessee, sponsored by Councilmembers Ed Whitmore and Bruce Stanley.

Staff recommends *approval*.

This council bill is to accept easements totaling 32.5 acres on two properties owned by the State of Tennessee along the Stones River for a greenway trail. Metro Government will construct, operate, and maintain the greenway trail. Staff recommends approval of these greenway easements since they support the long-term goals of the Subarea 14 Plan for a Stones River greenway trail.

Resolution No. 2001-550

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-119G-14 is **APPROVED (6-0)**."

68. 2001M-120G-14

Stones River Greenway Easements
Map 148, Parcel(s) 37, 45, 48, 49, 66, 135, 156, 161, 167, 225,
226; Map 134, Parcel(s) 149, 178, 257; Map 79,, Parcel(s) 148
Subarea 14 (1996)
District 14 (Stanley)

A council bill authorizing the Director of Parks and Recreation to accept, execute, and record easements to Metro Government from private property owners for the Mill Creek Greenway, sponsored by Councilmembers Ed Whitmore, Bruce Stanley, and Phil Ponder.

Staff recommends *approval*.

This council bill is to accept easements totaling 41.10 acres on 16 properties owned by various property owners for the Mill Creek greenway trail. Metro Government will construct, operate, and maintain the greenway trail. Staff recommends approval of these greenway easements since they support the long-term goal of the Subarea 12, 13 and 14 Plans for a Mill Creek greenway trail.

Mill Creek Easements				
	Property Owner	Map	Parcel	Acreage

1	Countryside Village Associates / Nashville Ltd Partnership	148	161	2.226
2	Cummings Court LLC	148	Parcels 167, 225 & 226	2.1
3	Danley Corporation	134	149 & 257	7.38
4	Peter Curry, Trustee for D. G. Patterson Jr.	148	37	1.756
5	Angie W. Sullivan	148	45	1.228
6	Milburn L. Martin, Trustee	148	135	1.868
7	SUSA Nashville, L.P.	148	48	2.278
8	James H. Rifkin	148	49	4.283
9	Harwell Limited Family Partnership	148	156	.311
10	William H. Cammack, et al	148	66	11.399
11	Lee Masonry Products, Inc.	134	178	1.37
12	First Industrial, L. P.	148	79	4.47
13	Antioch Center Commercial Condominiums	148-11-A	n/a	.431
			Total Acres	41.10

Resolution No. 2001-551

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-120G-14 is **APPROVED (6-0).**"

69. 2001M-121U-10

Rename portion of Belmont Boulevard to "Jamesborough Place"
Map 131, Parcel(s) 07
Subarea 10 (1994)
District 33 (Turner)

A request to rename a portion of Belmont Boulevard lying between Lone Oak Road and Jamesborough Place to "Jamesborough Place", requested by the Interim Director of Public Works.

Staff recommends *approval*.

This request is rename a portion of Belmont Boulevard lying between Lone Oak Road and Jamesborough Place to "Jamesborough Place". This section of Belmont Boulevard is not connected or near the main Belmont Boulevard. This street renaming has been requested by Metro Public Works for E-911 system efficiency and effectiveness. Staff recommends approval of this proposed renaming to increase public safety and response to emergency calls. All reviewing agencies and departments were notified of this proposed renaming. Staff mailed letters out to all property owners abutting Belmont Boulevard and Jamesborough Place informing them of this proposed street renaming. Staff will update the Commission on any e-mails, phone calls, or letter received in opposition to this renaming as well as any agency responses in opposition.

Resolution No. 2001-552

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-121U-10 is **APPROVED (6-0).**"

70. 2001M-122G-12

Mill Creek Trunk Sewer to Nolensville Pike

Subarea 12 (1997)
District 31 (Knoch)

A request to extend the 24" Mill Creek trunk sewer line down Nolensville Pike near Kidd Road (98-SG-13; CIB#01SG0008), requested by the Department of Water and Sewerage Services.

Staff recommends *approval*.

This request is to acquire an easement on tax map 33, parcel 108 for the extension of an 18" sewer line along Mill Creek, on the east side of Nolensville Pike, north of Kidd Road. This project is part of the Mill Creek trunk sewer line extension to the Nolensville community (98-SG-13). Staff recommends approval of this sewer line extension since it is part of the capital improvements budget (01SG0008).

Resolution No. 2001-553

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-122G-12 is **APPROVED (6-0)**."

71. 2001M-123G-14

Pennington Bend Road Sewer Line Extension
Map 62, Parcel(s) 2, 3, 8, 10-12, 124, 144, 153; Map 062-01,
Parcel(s) 39, 40; Map 11, 12, 15, Parcel(s) 062-02
Subarea 14 (1996)
District 15 (Loring)

A request to extend a sewer line on Pennington Bend Road and Lock Two Road near the intersection of both roads (01-SG-112; CIB# 96SG0005), requested by the Department of Metro Water and Sewerage Services.

Staff recommends *approval*.

This request is to extend a 2" sewer line on Pennington Bend Road and Lock Two Road near the intersection of both roads. The Department of Metro Water and Sewerage Services has made this request as part of its implementation of the Capital Improvements Budget (01-SG-112; CIB# 96SG0005). Staff recommends approval of this sewer line extension that will begin at tax map 62, parcel 8 and curve around the Pennington Bend Road/Lock Two Road intersection, going north and terminating at tax map 62-2-A, parcel 23 CO.

Resolution No. 2001-554

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-123G-14 is **APPROVED (6-0)**."

72. 2001M-127U-09

Thermal Agreement with Constellation Energy Source, Inc.
Map 93-7, Parcel(s) p/o 36, 39 and 41.01; Map 93-7, Parcel(s) 40;
Map 22-24, 27, Parcel(s) 93-11
Subarea 9 (1997)
District 19 (Wallace)

A council bill to approve an agreement between Metro Government and Constellation Energy Source, Inc. for the design, construction, operation, and maintenance of a new energy generation facility within downtown Nashville, sponsored by Councilmembers Ludy Wallace and Jim Shulman.

Staff recommends *approval*.

This council bill approves an agreement between Metro Government and Constellation Energy Source, Inc. for the design, construction, operation, and maintenance of a new gas-fired energy generation facility in downtown Nashville. The agreement also terminates the existing agreement between Metro Government and the Nashville Thermal Transfer Corporation upon completion of this new facility's operation. The agreement also states that Metro Government will become a customer of the new energy facility. There is also an associated amendment to the Capital Improvements Budget (CIB) on this same agenda, 2001CB-002. That amendment proposes the issuance of \$66.7 million in revenue bonds to fund the construction and acquire land for the energy facility.

There are two sites under consideration for the new facility along Gateway Boulevard (Franklin Street; see sketch). Site 2 is the preferred site due to its size and location. Staff recommends the Planning Commission approve both sites for the future energy facility, as they both can accommodate the proposed facility and comply with the zoning and redevelopment district plans. By approving both sites, the Public Works Department, the Mayor's Office, and the Metro Council can then narrow down their selection to one of the two sites.

Site 1

This site is located *north* of the proposed Gateway Boulevard. It consists of portions of three (3) parcels totaling approximately 1.08 acres. A portion of the properties fronting Franklin Street will become part of the future Gateway Boulevard right-of-way (that land area is not included in the site's size). The site is zoned CF (core frame) which allows for a power plant, a permitted use by right in this district. It is also within the Urban Zoning Overlay and Rutledge Hill Redevelopment districts. This site would possibly require a mandatory referral to transfer one of parcels owned by MDHA to Metro Government; Metro Government owns the other two parcels.

Site 2

This site is located *south* of the proposed Gateway Boulevard. It consists of five (5) parcels and Crockett Street totaling approximately 3.64 acres. A small portion of the properties fronting Franklin Street will become part of the future Gateway Boulevard right-of-way (that land area is not included in the site's size). The site is also zoned CF (core frame) and within both the Urban Zoning Overlay and Rutledge Hill Redevelopment districts. The agreement provides that Constellation Energy would have to buy Site 2 and convey it immediately to Metro Government. The conveyance would require Metro Council's approval of a mandatory referral to accept the property. Currently, several different entities own these parcels: Ragland Corporation (parcels 23 and 24), the Bolden Family Limited Partnership (parcel 40), Metro Government (Crockett Street), and the Guardian Life Insurance Company of America (parcels 22 and 27). The site would also require Metro Council's approval of a mandatory referral for the closure of Crockett Street, a public right-of-way that is a dead-end street.

Resolution No. 2001-555

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-127U-09 is **APPROVED (6-0).**"

73. 2001M-128G-03

Transfer of Bells Bend from Metro Public Works to Metro Parks and Recreation

Map 101, Parcel(s) 1 (809 acres)

Subarea 6 (1996)

District 23 (Gilmore)

A council resolution to transfer 809 acres in Bells Bend from Metro Public Works to Metro Parks and Recreation, sponsored by Councilmembers Brenda Gilmore and Amanda McClendon.

Staff recommends *approval*.

This council resolution transfers approximately 809 acres in Bell's Bend from Metro Public Works to Metro Parks & Recreation. This property had been set aside for a future landfill. Metro Public Works has determined this site is no longer needed and so it is now proposed as a new public park.

Staff recommends approval of this property transfer. The size of this park would be less than Edwin and Percy Warner parks (combined), but more than the new Beeman Park. It would serve a portion of the county that has few parks. The Subarea 3 Plan calls for more public parks since there is a deficit within the planning area. There are four public parks (Trinity Hills, Rucker Avenue, Hartman, and Whites Creek) within the planning area that extends from I-65 and I-24 to the east, to Little Marrowbone Road to the north, to the county line to the west, and the Cumberland River to the south. The development of this land as a public park will also enable a significant portion of the Cumberland River greenway trail to be constructed in the future.

Resolution No. 2001-556

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-128G-03 is **APPROVED (6-0).**"

74. 2001M-129U-10

Closure of Alley #421 between Music Circle East and Music Square East
Map 93-13, Parcel(s) 169, 171, 239-243
Subarea 10 (1994)
District 19 (Wallace)

A request to close Alley #421 between Music Circle East to its terminus at tax map 93-13, parcels 169 and 171, requested by Bill Forte of Barge, Cauthen & Assoc., for Broadcast Music Inc. (BMI), an abutting property owner. Easements are to be retained.

Staff recommends *conditional approval*.

This request is to close Alley #421 between Music Circle East to its terminus at tax map 93-13, parcels 169 and 171. Easements are to be retained. Broadcast Music Inc. (BMI) is requesting this alley closure in conjunction with a final plat to combine seven properties into one lot. This alley serves no other businesses than BMI which has indicated it is no longer needed. Staff recommends conditional approval subject to the all reviewing agencies and departments recommending approval.

Resolution No. 2001-557

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2001M-129U-10 is **APPROVED (6-0).**"

OTHER BUSINESS

76. Amendments to Subdivision Regulations (Administrative Review)

Staff recommends *approval*.

This item was deferred at the October 25, 2001, Planning Commission meeting. This request is to amend Section 3-3.2 of the Subdivision Regulations (Administrative Review).

Background

The MPC Rules and Procedures establish a *minimum* interval between the filing of an application for zoning change or subdivision plat approval and its appearance on the Planning Commission’s public hearing agenda. Working from those rules, planning staff generates a schedule that includes submittal deadlines and likely Planning Commission action dates. Currently staff follows the *minimum* allowable “28 day” schedule.

Staff Recommendation

Staff recommends and seeks Planning Commission endorsement to require applications to be submitted to the department one week earlier than is now the case thereby extending the interval between submittal deadline and MPC meeting from four weeks to five weeks for projects in compliance with Metro standards. This change will allow the staff to do the following:

1. Identify incomplete applications at an earlier stage in the staff review process, thus allowing applicants additional time to correct application deficiencies. (*Determination of “completeness” will be made by comparing the submittal to a published checklist of minimum regulatory requirements, such as property owner signature, water and sewer availability letter, traffic impact study if required, and the like.*)
2. Perform two multi-agency application reviews prior to agenda preparation. Currently only one review occurs before the agenda is prepared; the second review takes place after the agenda and public notices have been prepared and distributed.
3. Arrive at a reasonable level of certainty that an item will be on a particular MPC agenda prior to sending public hearing notices to nearby property owners and neighborhood associations. This change will minimize the occasions when citizens must take time away from their jobs and other responsibilities to attend Planning Commission meetings for agenda items requiring deferral.
4. Prepare a reliable MPC agenda with fewer items deferred at the last minute. Currently, in order to accommodate applicants with application deficiencies, staff is working up to the day of the MPC meeting to get clearance from other Metro departments that their requirements have been adequately addressed.
5. Increase staff efficiency by eliminating preparation of staff reports for projects requiring deferral for non-compliance.
6. Conserve resources by eliminating the extra cost of mailing public hearing notices for items that fail to receive last minute agency clearances and therefore require indefinite deferral. For indefinitely deferred items, the staff must re-mail notices and new or revised signs must be posted when a new hearing is scheduled.

To implement this change, staff recommends revising the published schedule of submittal deadlines and related Planning Commission hearing dates, and proposes the following change to the text of the Subdivision Regulations: Delete the first two paragraphs of Section 3-3.2, Administrative Review, as shown below:

Existing Subdivision Regulations Text

~~**3-3.2 Administrative Review**—The Executive Director shall initiate an administrative review of the plat, and any exhibits submitted in conformance with these regulations. This review shall be performed by the MPC Staff and other officials of the City and representatives of the State, or Boards or Commissions as appropriate. The review shall be conducted in accordance with the adopted 28-day review schedule. The findings of the review process shall be presented to the Planning Commission.~~

~~During the first eleven days of the review cycle the plat will be reviewed by the MPC Staff and other appropriate agencies after which the MPC Staff will notify the applicant of any plat changes required to meet regulatory requirements and the corrected plat drawings shall be returned to the MPC Staff reviewer within five working days. The corrected plat drawings will be circulated to the appropriate reviewing agencies by staff and will be the plat submittal presented for consideration by the Planning Commission.~~

NOTE

During the review process, additional information, such as street profiles, flood plain cut and/or fill data, etc., may be required in order for the review findings to be presented in a more complete manner. Such additional information will become part of the record file of the plat application.

Proposed Subdivision Regulations Text

3-3.2 Staff Review – The Executive Director shall initiate a review of the plat, and any exhibits submitted in conformance with these regulations. This review shall be performed by the MPC Staff and other officials of the Metropolitan Government and representatives of the State, or Boards or Commissions as appropriate. The review shall be conducted in accordance with the published review schedule. The findings of the review process shall be presented to the Planning Commission.

The published review schedule shall designate a deadline for agency comments on plat completeness and compliance to be provided to the applicant, and a deadline for applicant revisions to be resubmitted to the Planning Department. The revised plat drawings will be circulated to the appropriate reviewing agencies by staff. Once a plat is in compliance with all applicable regulations it shall be presented for consideration by the Planning Commission.

Decision on Final Plats

Section 3-4.3 of Subdivision Regulations

Background

This proposed change would authorize the Executive Director to approve a final plat that is substantially the same as an approved (and unexpired) preliminary plat. Some years ago, the Subdivision Regulations were interpreted to delegate such authority to the Executive Director, however, in recent years that authority has not been exercised. Consequently the MPC routinely acts on final plats that are substantially the same as preliminary plats previously approved by Commissioners. To obtain maximum clarity in the regulations, the Law Department has recommended that delegation of MPC authority to its staff is best set out in the Subdivision Regulations, rather than authorized as a matter of interpretation.

Staff Recommendation

Staff recommends the Planning Commission authorize the Executive Director to approve minor revisions to subdivisions. Staff also seeks authorization to extend administrative final plat approval to PUD revisions. The benefits of the proposed changes are to eliminate duplicate subdivision approvals from MPC agendas, reduce unproductive time spent by staff preparing reports on duplicate subdivision approvals, and reduce the need for applicants to meet MPC agenda deadlines in order to have routine final plats approved. It should be noted that staff will continue to require a full review cycle to coordinate with other departments to assure that all technical requirements of subdivision and other development regulations have been met.

A Planned Unit Development (PUD) follows a more complex route than does a subdivision. A PUD begins with a zoning change application, which is reviewed by staff, recommended by the Planning Commission, and approved by the Metropolitan Council to establish a PUD overlay zoning district. The **Master Development Plan** associated with the Council-approved PUD is a conceptual plan of development that includes the general orientation and size of principal structures and associated parking areas; landscape and buffer areas required; location, size and general treatment of environmentally sensitive areas; general traffic routes to and from the development with major access points identified; range and scope of proposed land uses, densities, floor area ratios or impervious surface ratios; land devoted to each type of general land use and phase of development; identification of new streets and proposed improvements to existing streets.

Once a PUD overlay district and associated master development plan have been approved by the Council, the developer submits a **Final Site Plan** for Planning Commission approval. A final site plan is approved by the MPC if the plan is consistent with the Council-approved plan and all of its conditions, and if the final site plan also meets the technical requirements of the Subdivision Regulations for preliminary plat approval, if applicable. In other words, when land in a PUD is subdivided, the Final PUD approval = the preliminary subdivision plat approval. After this stage in the approval process, a PUD subdivision travels the path of a regular preliminary subdivision plat, and is eligible for final subdivision plat approval so long as it conforms to the approved PUD plan and meets all technical requirements of the Subdivision Regulations.

It follows, then, that if the Executive Director is authorized to approve final plats that are substantially the same as approved preliminary plats, the Executive Director's authority would also extend to approve final plats for PUD subdivisions that are substantially the same as approved PUD final site plans.

Existing Subdivision Regulations Text

~~**3-4.3 Decision on Final Plat** — Following an administrative review (see 3-3.2), the Planning Commission shall, within thirty (30) days after submission (see 3-1.2) of the final plat, approve, conditionally approve, or disapprove the final subdivision plat by resolution, which shall set forth in detail any conditions of approval or reasons for disapproval. The applicant will be provided a copy of the resolution.~~

~~The failure of the Planning Commission to act upon a plat within the prescribed time shall be deemed approval of the plat, and in such event, a certificate of approval, entitling the subdivider to proceed shall be issued, upon demand, by the Chairman and Secretary of the Planning Commission. Caution should be exercised in that such default approval will not exempt the subdivision from compliance with the Zoning Regulations.~~

Proposed Subdivision Regulations Text

1. Decision on Final Plat – Upon completion of a review (see 3-3.2) that finds the plat in conformance with the applicable regulations of the Metropolitan Government, the State, and any reviewing Boards and Commissions, the applicable approval procedure below shall be followed.

2. **If the final plat shows only minor revisions to the approved preliminary plat and meets all regulatory requirements, the Executive Director is authorized to approve the final plat on behalf of the Metropolitan Planning Commission.** Minor revisions are insignificant shifts in street and open space locations, minor changes to lot size, minor changes to unit size and distribution of intensity not inconsistent with a final PUD approval and its associated preliminary plat, if applicable; minor shifts in lot lines; and other changes which do not alter the general layout and intensity of the approved preliminary plat. At the request of the applicant, any final plat shall be forwarded to the Planning Commission for decision, including reversal of the decision of the Executive Director. The Executive Director may, at his or her discretion, direct any final plat to the Planning Commission according to the procedures of B, below.

3. **If the final plat includes major revisions to the approved preliminary plat, a revised preliminary plat along with the final plat shall be submitted by the applicant in accordance with the published review schedule. Once in compliance with all regulatory standards, it shall be placed on the agenda of the Metropolitan Planning Commission for approval, conditional approval, or disapproval by resolution, which shall set forth in detail any conditions of approval or reasons for disapproval. The applicant will be provided a copy of the resolution. For purposes of this section, major revisions include, but are not limited to, an increase in the number of lots and/or square footage, change(s) to the pattern of street connections or major access points; changes to the pattern of lots or the massing of buildings; changes to open space provisions; reductions in public dedications; reductions in improvements, including sidewalks, for the benefit of the public; variance(s) to the Subdivision Regulations not previously granted by the Planning Commission at the time of preliminary plat approval; or any other feature(s) of the subdivision that assumed significance at the time of preliminary plat approval.**

Failure of the Planning Commission to act upon a plat within thirty (30) days after the official submission date (Section 3-1.2) shall be deemed approval of the plat, and in such event a certificate of approval entitling the subdivider to proceed shall be issued, upon demand, by the Chairman and Secretary of the Planning Commission. Caution should be exercised in that such default approval will not exempt the subdivision from compliance with the Zoning Regulations.

Resolution No. 2001-558

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** the Amendments to Subdivision Regulations (Administrative Review).”

77. Request to amend the 2001-2002 to 2006-2007 Capital Improvements Budget. Case No. 2001CB-002

Staff recommends *approval*.

Summary

This amendment is needed to cover Metro's costs, through Constellation Energy Source, Inc. (CES), the new operator, of constructing a new gas-fired district energy plant to replace the Thermal facility, plus associated land acquisition, and other costs.

Analysis

The proposed amendment will add a new project to the General Services Department to fund these costs through Proposed Revenue Bonds. Using revenue bonds does not compete with the general obligation debt planned for any of the other projects currently proposed for that source.

Proposed Urban Services District – New Project. The following new project in the Urban Services District is added to the Capital Improvements Budget for FY 2001-2002 as follows:

New Project – 01GS014

District Energy System

Construction of new district energy generating and distribution facilities and acquisition of associated real property.

\$ 66,700,000 Proposed Revenue Bonds FY 2001-2002

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** the amendment to the 2001-2002 to 2006-2007 Capital Improvements Budget. Case No. 2001CB-002.”

78. Establish the January 24, 2002 MPC meeting as the date for the Public Hearing on the final draft of the updated plan for Subarea 8 [The Plan for Subarea 8: The North Nashville Community Final Draft December 17, 2001]

79. MPO Fiscal Year 2001 Transportation Planning Contract with the Tennessee Department of Transportation

Resolution No. 2001-559

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** the MPO Fiscal Year 2001 Transportation Planning Contract with the Tennessee Department of Transportation”

80. MPO contract with GNRC to provide technical assistance for Fiscal Year 2002

Resolution No. 2001-560

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** the MPO contract with GNRC to provide technical assistance for Fiscal Year 2002.”

81. MPO contract with Tennessee Department of Transportation for Transit Planning in Fiscal Year 2002

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** the MPO contract with Tennessee Department of Transportation for Transit Planning in Fiscal Year 2002.”

ADDENDUM

Employee Contract for Nicholas J. Lindeman

Resolution No. 2001-561

“**BE IT RESOLVED** by the Metropolitan Planning Commission that it **APPROVES** the employee contract for Nicholas J. Lindeman as a Planner 1, from January 1, 2002 through December 31, 2003.”

This concluded the items on the consent agenda.

PUBLIC HEARING

FINAL PLAT SUBDIVISIONS

32. 99S-097U-12
VILLAGES OF BRENTWOOD, Phase 11
Map 161-10-B, Parcel(s) 155-206
Subarea 12 (1997)
District 32 (Jenkins)

A request for final plat approval to remove the sidewalk requirement on Phase 11 abutting the southwest margin of Village Way, approximately 115 feet southeast of English Village (16.25 acres), classified within the R10 Residential Planned Unit Development District, requested by Grandview Land Company, Inc., owner/developer, Dale & Associates, Inc., surveyor.

Ms. Regen stated staff recommends *disapproval*.

This request is for a series of sidewalk variances within the Villages of Brentwood development (Phase 11). Roy Dale of Dale & Associates has submitted this sidewalk variance request on behalf of his client, Grandview Land Company, the developer of this residential subdivision. A final plat for this residential development was approved by the Planning Commission on March 18, 1999, and a bond totaling \$235,000 was posted for extension of new public roads and utilities (including sidewalks) on June 10, 1999. Of that amount, \$225,000 represents Public Works' portion of the bond for roads and sidewalks.

After constructing the sidewalks and making various other improvements to the development, the developer requested Metro Public Works to inspect and accept the sidewalks this summer. Public Works inspected the sidewalks and indicated to the developer they could not be accepted since they were not constructed in conformance with the approved plans or with the standards in place at the time of construction. In a letter to staff, Mr. Dale states Public Works indicated to the developer that these sidewalks could not be accepted since they were not compliant with today's ADA standards (see attached letter). Public Works has informed staff that while it's true these sidewalks are not compliant with today's ADA standards that was not Public Works' reason for non-acceptance of these sidewalks. Public Works is not retroactively applying today's sidewalks standards to this developer. Public Works requires developers to conform to standards in effect at the time of actual construction.

With the sidewalks already constructed, driveways already built, and homeowners already living in the homes, the developer has requested that Metro accept the sidewalks "as is" or allow the developer to remove all the sidewalks and not replace them. Public Works has indicated this is unacceptable because only the Planning Commission can waive the requirement for sidewalks in subdivisions. Public Works has also informed the developer and staff that most of the driveway ramps are unacceptable because they do not conform to Public Works standards and allow stormwater runoff from the street to be directed into the driveways, garages, and private property.

Mr. Mark Macy stated the driveways and handicap ramps have not been built to specs and slope away from the street. The applicant submitted plans that we reviewed, but he did not build in accordance with the approved plans. If the driveways and ramps are built in accordance Public Works will accept the

roadways. We have had the same problem with same builder over same issues before. Now the developer is asking for a sidewalk variance and to be allowed to tear out the sidewalks and not rebuild them.

Mr. Roy Dale stated Christ Church had bought this property to build an access to their church.

Mr. Eldon Sawyers, attorney representing Christ Church, stated he had called Tom Palko, of Public Works, and asked if the sidewalks could be removed to solve the problem and he said yes.

Mr. Dale stated these sidewalks are not in accordance with the approved plan. Other subdivisions have sidewalks that are not built in accordance. Public Works has the responsibility to adhere to the ADA rules and that may be the problem. These sidewalks do not meet the ADA standards so Public Works says meet the standards, but those are the 1998 standards and they do not meet the ADA requirements either. Villages of Brentwood is a subdivision of 500 homes and this is the last 50 lot phase and not one other phase has a sidewalk. There are no sidewalks until you get to Old Hickory Blvd.

Mr. Frank M. Graham, Grandview Land Company, stated this is an issue of public interest. This Commission has the authority to remove the sidewalks, but not the authority to make the developer rebuild to ADA standards.

Ms. Jones asked if the homeowners were aware of the problems.

Mr. Dale stated he came to staff this morning and asked for deferral, but staff did not want to do that. And no the homeowners do not know about the problems.

Mr. Clifton stated that what we have is a developer that violated the law and may be liable for a few million dollars. Someone must have made a mistake or were hoping the law would not be enforced.

Ms. Nielson moved and Mr. Clifton seconded the motion, which carried unanimously, to close the public hearing.

Mr. McLean moved and Ms. Nielson seconded the motion to defer until the second meeting in January.

Mr. Macy stated we have heard inaccurate statements from Mr. Dale. It is true we have settled ADA claim, but Mr. Dale knew what he was doing.

Ms. Jones can there be anything done to work this problem out.

Mr. Macy stated eliminating the sidewalk requirements would take care of that part, but it does not take care of drainage system of driveways, and that will have to be taken care of before the streets can be accepted by the Metro Council.

Mr. Fox stated the Metropolitan Government cannot accept roads with sidewalks that are not built to compliance.

Mr. Cochran stated there are legal problems that should be looked into also.

Mr. Macy stated that only Council could accept the streets. This Commission is to decide whether or not to waive the sidewalk requirements.

Vice Chairman Small asked that if the requirements are waived will the sidewalks have to be removed.

Mr. Macy stated that was correct.

Councilmember Summers suggested legal counsel explore the issue - what standards should we have for waiving these requirements and what is our discretion,

This item was unanimously defer until January 24, 2001.

ZONING MAP AMENDMENTS AND TEXT AMENDMENTS

1. 2001Z-013T

Council Bil lNo. BL2001-915

A council bill amending Section 127.24.030 (E) of the Zoning Ordinance to change the landscaping requirements for loading areas, tractor trailer staging, and loading and parking areas, requested by Councilmembers John Summers and Melvin Black.

Mr. Leeman stated staff recommends *disapproval*.

This council bill is to change the text of the Zoning Ordinance for Section 17.24.030 (E) by exempting the tree density requirements from loading areas or tractor-trailer staging, loading and parking areas. The Metro Urban Forester has indicated that this request came about due to several warehouse/distribution facilities having been unable to meet the current tree density standards. They were also unwilling to pay into the Metro Tree Fund.

The Zoning Ordinance currently allows for an exemption to the interior landscaping requirements in loading and staging areas, but it does not allow for an exemption to the overall tree density requirements. The ordinance requires that at least 8% of the gross parking area shall be landscaped and that interior planting areas are located within or adjacent to the parking area as tree islands, at the end of parking bays, or inside measuring 7' wide or greater. All multi-family, commercial, and industrial sites are subject to a tree density requirement of at least 14 units per acre, where units are defined by the quantity, type and size of trees planted.

This proposed text change would exempt loading and staging area from the overall tree density requirements, as well as the interior-planting requirement. Staff recommends disapproval since it is important for these commercial and industrial developments to comply with the standards for landscaping and buffering. Landscaping serves to reduce the impact on adjacent properties and public thoroughfares through screening and buffering, and increases the amount of non-impervious services, which reduces the amount of stormwater runoff. The ordinance currently is flexible by providing an exception to the interior planting requirements and an in-lieu payment to Metro's Tree Fund for non-compliance with the tree density provision of planting trees.

Proposed Text is shown in bold and old text is shown with a strikethrough.

17.24.030 Exceptions

E. **Neither** ~~the~~ interior planting requirements of Section 17.24.160 **nor the tree density requirements of Section 17.24.100** shall ~~not~~ apply to service loading areas or to tractor trailer staging, loading and parking areas.

No one was present to speak at the public hearing.

Ms. Nielson moved and Mr. Clifton seconded the motion, which carried unanimously, to close the public hearing.

Councilmember Summers stated he had heard comments for other Councilmembers that this could be very expensive. Mr. Sonny West had been working on this and thought he was going to be here.

Mr. Leeman stated he had spoken to Mr. West and they are working on another option.

Ms. Nielson moved and Mr. Clifton seconded the motion, which carried unanimously, to disapprove.

Resolution No. 2001-562

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-013T is **DISAPPROVED (7-0)**:

The current zoning text provides enough flexibility by providing an exemption to the interior planting requirements for tractor-trailer staging, loading, and parking areas, and provides an option for an in-lieu payment to Metro's Tree Fund for non-compliance with the tree density provisions of the ordinance. It is important for these commercial and industrial developments to comply with the standards for landscaping and buffering. Landscaping serves to reduce the impact on adjacent properties and public thoroughfares through screening and buffering, and increases the amount of non-impervious services, which reduces the amount of stormwater runoff."

3. 2001Z-104U-13

Map 149, Parcel(s) 76 (.62 ac.) & Part of 74 (.68 ac.), 75 (.63 ac.);
Map 149-03, Parcel(s) 67 (.055 ac.), 68 (.062 ac.), 69 (.81 ac.);
Map 149-03, Parcel(s) 145 (.56 ac), 146 (.56 ac)
Subarea 13 (1996)
District 28 (Alexander)

A council bill to change from R8 District to MUL District properties at 2517 Edge-O-Lake Drive and Edge-O-Lake Drive (unnumbered), and from R10 District to MUL District properties at 2500, 2510, 2514, 2518, and 2522 Murfreesboro Pike, south of Edge-O-Lake Drive (3.98 acres), requested by Mark Marshall, appellant, for Adams Brothers Development Company, Deral Morse, Ollen and Eva Crowder, and Mark and Angela Marshall, owners.

Mr. Leeman stated staff recommends *disapproval as contrary to the General Plan*.

1. **Subarea Plan amendment required?** Yes, and none was submitted.
2. **Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?** Yes, and one was submitted.

This item was deferred at the October 25, 2001, meeting to allow more time for the applicant to meet with neighbors. This council bill is to change 3.98 acres from R8 and R10 to MUL district properties at 2500, 2510, 2514, 2518, and 2522 Murfreesboro Pike, 2517 Edge-O-Lake Drive, and Edge-O-Lake Drive (unnumbered). The existing R8 and R10 districts are intended for single-family and duplex residential at 4.6 and 3.7 dwelling units per acre, respectively. The proposed Mixed Use Limited (MUL) district is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses. MUL zoning allows a floor area ratio (FAR) of 1.0. The applicant has indicated this rezoning is to develop a retail and residential project.

The existing Subarea 13 Plan's policies for this area are Residential Medium (RM) calling for residential development at between 4 and 9 dwelling units per acre, and Residential Low Medium (RLM) calling for up to 4 dwelling units per acre. The text of the subarea plan, which was approved by the Commission in 1996, states the following: *"Medium density residential is appropriate on the few remaining undeveloped or underutilized sites."* These residential policies do not support commercial uses on this side of Murfreesboro Pike. The applicant has indicated a desire to rezone without a subarea plan amendment. Instead, the applicant believes the Retail Concentration Community (RCC) policy that lies on the west side of Murfreesboro Pike should be interpreted as extending across Murfreesboro Pike to include these properties. There may be merit in applying a Mixed-Use (MU) policy in this area, however, a larger area needs to be evaluated and a conceptual plan developed through a subarea plan amendment for the area north of Edge-O-Lake Drive, south to parcel 86 (see sketch). There are several large parcels that front on

Murfreesboro Pike and extend back into the Willowbranch Drive area. Any development on these parcels would need to be done in a sensitive manner.

Staff recommends disapproval of this request as contrary to the General Plan. The RCC policy does not support the applicant's proposed mixture of commercial and residential uses. RCC policy does not call for residential uses. It is a policy applied to large commercial centers. In July 1998, the Commission disapproved a request for commercial zoning on parcel 69, at the corner of Murfreesboro Pike and Edge-O-Lake Drive finding this area is to remain residential (98Z-133U).

The Subarea 13 Plan says that the Retail Concentration Community (RCC) policy on the west side of Murfreesboro Pike should not cross the street:

"...The adjoining Retail Concentration Community policy area (9A) should not extend east of the frontage on Murfreesboro Pike into this residential area." (p.55)

"...Expansion of this area beyond its current boundaries is not recommended, because of the adjacent residential policy areas." (p. 61)

Traffic

The applicant has indicated that a new driveway/road would be extended from Edge-O-Lake Drive at the rear of the property proposed for rezoning. There would also be a second driveway on Murfreesboro Pike. The Traffic Engineer has indicated that the existing signal at Edge-O-Lake Drive could accommodate traffic generated by MUL zoning.

Mr. Bill Lockwood stated there is some validity into approving this project as proposed. There is some commercial further north and some south of this, and that they do need an action today.

Mr. Harold Henderson, neighbor, spoke in opposition and stated there is commercial property already available.

Mr. Creighton Miller spoke in opposition.

Mr. George Anton stated he was not opposed, but asked that the Subarea 14 committee be reconvened to study area.

Mr. Lockwood stated his client, Mark Marshall, has met with the Councilmember and neighbors to come up with a plan suitable to many neighbors.

Mr. Terry Curtis stated this is not a good plan and that he was opposed to it.

Mr. Creighton Miller stated there had never been a community vote.

Ms. Nielson moved and Mr. Clifton seconded the motion, which carried unanimously, to close the public hearing and disapprove as contrary to general plan.

Resolution No. 2001-563

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-104U-13 is **DISAPPROVED (7-0) as contrary to the General Plan:**

The proposed MUL district is not consistent with the Subarea 13 Plan's Residential Medium (RM) and Residential Low Medium (RLM) policies calling for residential development at between 4 and 9 dwelling units per acre and up to 4 dwelling units per acre. These residential policies do not support commercial uses on this side of Murfreesboro Pike at Edge-O-Lake Boulevard. The commercial policy on the west side of Murfreesboro Pike should not be extended across the street."

4.2001Z-109U-14
Map 095-11, Parcel(s) 190
Subarea 14 (1996)
District 15 (Loring)

A council bill to change from RS10 district to CL district property at 608 McGavock Pike, approximately 800 feet north of Elm Hill Pike (3 acres), requested by Tarun Surti, Trustee.

Mr. Hardison stated staff recommends *disapproval as contrary to the General Plan*.

- Subarea Plan amendment required? Yes and none was submitted.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods?
No.

This request was originally scheduled for the November 8, 2001 Planning Commission meeting but do to a lack of quorum the meeting was cancelled. This council bill is to change 3 acres from RS10 (residential) to CL (commercial) district property at 608 McGavock Pike, approximately 800 feet north of Elm Hill Pike. The existing RS10 district is intended for single-family homes at 3.7 dwelling units per acre. The proposed CL district is intended for retail, consumer service, banks, restaurants, hotel/motel and office uses. The applicant wants to develop a small shopping center.

This property is located within the Subarea 14 Plan's Residential Low Medium (RLM) policy. That policy calls for 2 to 4 dwelling units per acre. The current RS10 zoning is consistent with the Subarea 14 Plan. Rezoning this property to CL zoning would serve to intensify commercial zoning in an established residential neighborhood and would serve as a precedent for other commercial rezonings in this area. The Planning Commission previously recommended disapproval of two other zone changes for this property (96Z-120U and 97Z-098U). Both requests were to change from RS10 to OP district (i.e. OR20 district) and the Planning Commission disapproved both in November 27, 1996 and October 16, 1997 with the following explanation:

"This expansion of commercial zoning extends to far into this residential neighborhood. There is steep topography, which separates the CS zoning boundary from the residential areas on both sides of McGavock Pike. Single-family homes exist on the northern boundary of this property. There are a mixture of vacant residential parcels, single-family homes, a church and a daycare center across the street along Lakeland Drive."

Staff recommends disapproval as contrary to the General Plan since the CL zoning is a commercial use and the plan clearly views this area as a residential neighborhood. Also, there is a viable commercial area at the intersection of McGavock Pike and Elm Hill Pike that could be used for more commercial activities.

Traffic

The Metro Traffic Engineer has indicated that McGavock Pike is substandard along the property's frontage and needs to be brought up to collector road standards. The improvements required upgrading this portion of McGavock Pike, including the construction of a center-turn lane for the length of the property with proper striping and markings.

No one was present to speak at the public hearing.

Ms. Nielson moved and Mr. Clifton seconded the motion, which carried unanimously, to disapprove as contrary to general plan.

Resolution No. 2001-564

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-109U-14 is **DISAPPROVED (7-0) as contrary to the General Plan:**

The proposed CL district is not consistent with the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for 2 to 4 dwelling units per acre. The current RS10 zoning is consistent with the Subarea 14 Plan. Rezoning this property to CL zoning would serve to intensify commercial zoning in an established residential neighborhood and would serve as a precedent for other commercial rezonings in this area. Also, there is a viable commercial area at the intersection of McGavock Pike and Elm Hill Pike that could be used for more commercial activities."

5. 2001Z-110U-05
Map 071-07, Parcel(s) 179
Subarea 5 (1994)
District 5 (Hall)

A request to change from RS5 district to CS district property at 1902 Meridian Street, approximately 250 feet south of Trinity Lane (0.46 acres), requested by James Baron, owner.

Mr. Jones stated staff recommends *disapproval as contrary to the General Plan.*

Subarea Plan amendment required? A subarea plan amendment would normally be required for a request to allow commercial zoning within a residential policy area. Staff feels this particular request does not warrant an amendment because this change in zoning would represent a significant intrusion into an established residential community.

Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request was scheduled for the November 8, 2001 meeting, but due to the lack of a quorum it was rescheduled to December 6th. The request is to change .46 acres from RS5 (residential) to CS (commercial) district at 1902 Meridian Street, approximately 250 feet south of Trinity Lane. The existing RS5 district is intended for higher intensity single-family development at 7.41 dwelling units per acre. The proposed CS district is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. The applicant wants to rezone the property to operate a small business. Staff feels that there are more appropriate properties in the area from which to operate a small business, including underutilized and vacant properties along Dickerson Pike.

Staff recommends disapproval of the proposed CS zoning as contrary to the General Plan. This zone change is not consistent with the Subarea 5 Plan's Residential Medium Density (RM) policy. That policy calls for between 4 to 9 dwelling units per acre. The Subarea 5 Plan clearly states as a general rule in all residential policy areas that the encroachment of arterial commercial uses into residential areas should be discouraged. The plan further expresses the need to conserve the established neighborhoods.

Traffic

The Metro Traffic Engineer has indicated that Meridian Street could handle commercial traffic generated by CS zoning at this location.

Mr. James Caplin, member of Trinity United Methodist Church, spoke in opposition to the proposal and stated that the people buying property already have several properties around, and that he was worried about them selling beer.

Ms. Rita Varatte spoke in opposition to the proposal.

Mr. James Capley spoke in favor of the proposal and explained how the property would be used.

The Minister of Trinity United Methodist Church stated there had already been a parking problem from the proposed zone change.

Ms. Sue Wright and Ms. Abby Gaines spoke in opposition to the proposal.

Ms. Nielson moved and Mr. Clifton seconded the motion, which carried unanimously, to close the public hearing.

Mr. James Baron stated there is a lot of heavy traffic through that section of Meridian Street and he was not using the church parking lot.

Ms. June Unger accused Mr. Baron of using the parking lot.

Councilmember Summers moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing and disapprove as contrary to the General Plan.

Resolution No. 2001-565

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-110U-05 is **DISAPPROVED (7-0) as contrary to the General Plan:**

The proposed CS district is not consistent with the Subarea 5 Plan's Residential Medium (RM) policy calling for between 4 to 9 dwelling units per acre. The Subarea 5 Plan clearly states as a general rule in all residential policy areas that the encroachment of arterial commercial uses into residential areas should be discouraged. The plan further expresses the need to conserve the established neighborhoods by not allowing commercial to encroach. There are plenty of underutilized properties along Trinity Lane that are zoned for CS district, but are not currently being used for commercial purposes."

8. 2001Z-113G-14
Map 098-00, Parcel(s) 34
Subarea 14 (1996)
District 12 (Ponder)

A council bill to change from AR2a district to RS15 district property at 3200 Earhart Road at the intersection of Earhart Road and John Hager Road (117.92 acres), requested by Mike Anderson of Anderson-Delk & Associates, Inc., appellant, for F. E. Smith, Jr., owner.

Mr. Hardison stated staff recommends *conditional approval* subject to traffic improvements.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? Yes.

This request was originally scheduled for the November 8, 2001, Planning Commission meeting, this meeting was cancelled due to a lack of quorum. This council bill is to change 118 acres from AR2a (agricultural) to RS15 (residential) district at 3200 Earhart Road, where Earhart Road intersects John Hager Road. The existing AR2a district is intended for agricultural and residential uses at one dwelling unit for every two acres. The proposed RS15 is intended for single-family residential dwellings at 2.47 units per acre. The applicant is requesting this zone change to accommodate the construction of a new single-family subdivision.

Located along the eastern portion of Earhart Road are four parcels (81, 130, 169, and 188). One of the parcels is currently zoned RS15 (parcel 81) and the other three are zoned AR2a. The three properties zoned AR2a are not a part of this rezoning, but with the growing zoning pattern in the area, it is likely these properties will at some point be rezoned as well to RS15 district.

School Property Reservation

The applicant has agreed to reserve a portion the proposed property for the construction of a new elementary and middle school campus. The two schools will be located along John Hager Road between the road and the TVA transmission line. The applicant has agreed to set aside that area (“reserve”) it for the schools for purchase by Metro Board of Education. The applicant will build one entrance road between the two schools off of John Hager Road into their residential development. The size of property being reserved is being negotiated at this time and will be addressed more thoroughly when the applicant either applies for preliminary plat approval or PUD approval.

Staff recommends conditional approval of the proposed RS15 zoning subject to several traffic improvements (see the ‘*Traffic*’ section). This zone change is consistent with the Subarea 14 Plan’s Residential Low Medium (RLM) policy, which calls for 2 to 4 dwelling units per acre.

Traffic

The Traffic Engineer has indicated that the recommendations from the traffic impact study are adequate for this project. No other improvements are necessary.

1. The construction of an eastbound left-turn lane with 75 feet of storage on John Hager Road at the property’s future access point to John Hager Road.
2. Removal of vegetation at the property’s southern access point to Earhart Road to provide the recommended 400 feet of undisturbed sight distance.

Schools

A single-family development at RS15 density will generate approximately 59 students (26 elementary, 18 middle, and 15 high school). Students would attend Dotson Elementary School, Donelson Middle School, and McGavock High School. The School Board is currently reviewing school capacity figures and final numbers are not yet available for these schools.

Mr. Wallace Elmore, resident, spoke in opposition to the proposal and expressed concerns regarding flooding because of an underground sink hole system that runs from Lebanon to this property.

Mr. Jim Delgado expressed concerns regarding traffic, safety, and road structure, and asked that before the Commission approves this proposal that some measures be made to improve the infrastructure.

Councilmember Tony Derryberry, representing the property owner, stated he had talked with some of the residents and told them they would work on the infrastructure in the area. He asked for approval and stated there would be a community meeting Monday, and after that Councilmember Ponder would handle this at Council.

Mr. Phillip Bittle expressed concerns regarding emergency equipment access, traffic, safety, exposure of the children to high tension power lines, and sinkholes, and asked who will move private cemetery on the property.

Mr. Rob Lawrence, neighbor, expressed concerns regarding traffic and a school with no fire hall nearby.

Mr. Tim Davis, Parcel 169 owner, expressed concerns regarding property value depreciation and presented a petition with 100 signatures in opposition, and stated the zoning density is not consistent for the area.

Mr. Neil Smith, property owner, stated there is a variety of houses in this area and the water problem is not as bad as was earlier described.

Mr. Mike Anderson, representing Phillips Builders, complained about two turning lanes being added to the staff report that he nor his client were aware of. Jennifer [Ms. Regen] stated she had only heard about it earlier in the day, but it would have been nice to know so he could have let his client know before the meeting because he had not counted on additional turning lanes.

Mr. Jeff Grady, neighbor, stated he doesn't want any change.

Ms. Nielson moved and Mr. Cochran seconded the motion, which carried unanimously, to close the public hearing.

Mr. Clifton asked about the 7,500 square foot homes.

Mr. Hardison stated that under the cluster lot provision that is permissible.

Mr. Clifton stated RS15 and AR2a are all that is in the whole area. With or without the schools infrastructure and drainage problems these need to be taken care of as new developments go in.

Mr. McLean stated this does meet the General Plan but one concern is are the two additional turning lanes. He said staff should not be adding so many items, especially at the last minute and that he didn't want any more surprises.

Ms. Nielson moved and Mr. McLean seconded the motion, which carried unanimously, to conditionally approve.

Resolution No. 2001-566

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-113G-14 is **APPROVED (7-0) with conditions to traffic improvements:**

The proposed RS15 district is consistent with the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for 2 to 4 dwelling units per acre. The Metro Traffic Engineer has indicated that the recommendations from the traffic impact study are required, including the construction of an eastbound left-turn lane with 75 feet of storage on John Hager Road at the project's future access point to John Hager Road and two turn lanes at the two future access points along Earhart Road. Removal of vegetation at the property's southern access point to Earhart Road to provide the recommended 400 feet of undisturbed sight distance is also required."

10. 2001Z-115G-14

Map 044-14, Parcel(s) Part of 1 (8.12 ac)

Subarea 14 (1996)

District 11 (Brown)

A council bill to change from R10 district to MUL district a portion of property at Robinson Road (unnumbered), located at the southwest corner of Robinson Road and Martingale Drive (8.12 acres), requested by D. Phillip Piercy of Littlejohn Engineering, appellant, for Maude R. Hopkins et al, owner.

Mr. Hardison stated staff recommends *approval*.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request was originally scheduled for the November 8, 2001, Planning Commission meeting, this meeting was cancelled due to a lack of quorum. This council bill is to change 8 acres from R10 (residential) to MUL (mixed use) district a portion of property at Robinson Road (unnumbered), located at the southwest corner of Robinson Road and Martingale Drive. The existing R10 district is intended for residential single-family and duplexes at 3.7 dwelling units per acre. The proposed MUL district is intended for a mixture of residential, retail, restaurant, and office uses. The applicant has indicated this rezoning is to develop a retail project.

Staff recommends approval of the proposed MUL since it is consistent with the Subarea 14 Plan's RCC policy. That policy calls for large shopping centers that serve a wide market area. The applicant proposes to construct an Eckerd Drug Store on the property with the potential for several small retail stores to attach to the main structure in the future. The Planning Commission approved the rezoning of parcel 143 (98Z-110G) from R10 to MUN district property on May 14, 1998 and the Metro Council passed the bill (O98-1231) on July 21, 1998.

Mr. T. I. Meador spoke in opposition and presented a petition in opposition, he expressed concerns regarding traffic and asked for disapproval.

Mr. Phillip Piercy, with Littlejohn Engineering, explained the proposal and asked for approval.

Mr. John Clemons, Ms. Muriel Robinson, Ms. Maude Robinson Hopkins, and Mr. Truman Strahan spoke in favor of the proposal.

Lana Robinson, property owner, stated this is the perfect example for the correct MUL zoning use.

Councilmember Feller Brown, stated he had friends on both sides, but in these situations you have to think about what is best for the community. There are a few new developments in this area, but we do not have a drug store. The only phone call I have had in opposition was Mr. Meador. This development will be good for the community.

Councilmember Terry Derryberry spoke in favor of the proposal.

Councilmember Summers moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing and approve the following resolution:

Resolution No. 2001-567

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-115G-14 is **APPROVED (7-0)**:

The proposed MUL district is consistent with the Subarea 14 Plan's Retail Concentration Community (RCC) policy calling for large shopping centers that serve a wide market area."

15. 2001Z-121U-07

Map 091-11, Parcel(s) Part of 328 (.34 ac)

Subarea 7 (2000)

District 21 (Whitmore)

A request to change from RM40 and R6 districts to CS district property at 5012 Delaware Avenue, eastern corner of the Delaware Avenue and 51st Avenue North intersection (0.34 acres), requested by Anthony Cherry, owner.

Mr. Hardison stated staff recommends *disapproval as contrary to the General Plan*.

- Subarea Plan amendment required? No.
- Traffic Impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request is to change 0.34 acres from RM40 (residential) and R6 (residential) to CS (Commercial) district at 5012 Delaware Avenue, at the intersection of Delaware Avenue and 51st Avenue North. The existing RM40 district is intended for multi-family dwellings at 40 units per acre. The existing R6 district is intended for single-family homes and duplexes at up to 6.17 units per acre. The proposed CS district is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. The applicant is seeking this zone change to make the entire parcel the same zoning. This property is split into four lots, two of which are currently zoned CS and the other two lots have residential zoning.

Staff recommends disapproval of the proposed CS zoning as contrary to the General Plan. A commercial zoning pattern exists in this area from 52nd Avenue North back to the applicant's currently zoned CS portion of property, along Delaware Avenue. The Subarea 7 Plan's Residential Medium (RM) policy is applied from the edge of the applicant's CS zoned property. The Subarea 7 Plan recognized the existing commercial properties along 51st Avenue North and designated that area as a Commercial Arterial Existing (CAE) policy. The Subarea 7 Plan also limits the commercial area to the property fronting 51st Avenue North from Charlotte Avenue north to Centennial Boulevard. Expansion of the commercial policy into the residential policy area is strongly discouraged. The applicant currently has a business located on the portion of the CS zoned property. The portion of the property that is residentially zoned has two single-family homes and is adjacent to a single-family home. Rezoning this property to CS would create a non-conforming use for the existing residences.

Traffic

The Metro Traffic Engineer has indicated that Delaware Avenue and 51st Avenue North can accommodate the traffic that would be generated by changing this property to CS zoning.

Mr. Anthony Cherry, property owner, stated the businesses that have been in there in the past have been light industrial. I would like to sale the property some day and would like to have it all under one zoning.

Councilmember Summers moved and Ms. Nielson seconded the motion, which carried unanimously, to close the public hearing.

Councilmember Summers moved and Mr. Clifton seconded the motion to disapprove:

Ms. Nielson stated this area needed to be cleaned up because of all the different zoning on the one property.

Councilmember Summers asked if these businesses were all legally permitted. He stated if we rezone this we would change the policy all up and down that street.

Ms. Regen stated staff was unable to find that information.

Mr. Cochran asked if this was one lot.

Ms. Regen stated it was one parcel, but four lots.

Mr. McLean stated that even though part of it is residential there would never be a residential dwelling on it. He said he would vote on the disapproval and hope it is turned down.

Mr. Clifton withdrew his second to the motion.

Councilmember Summers stated this Commission should look at this as a planning standpoint and let Council decide zoning.

Vice Chairman Small stated we do look at it from a planning standpoint and an overall subarea policy and consider all the other properties around it.

Councilmember Summers stated he wasn't hearing policy issues. We have a professional planner saying this is contrary to the General Plan.

The motion to disapprove failed because of the lack of a second.

Mr. Clifton moved and Mr. McLean seconded the motion, which carried with Councilmember Summers in opposition, to approve.

Resolution No. 2001-568

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-121U-07 is **APPROVED (6-1)**:

Although this portion of parcel 328 falls within the Subarea 7 Plan's Residential Medium (RM) policy, it is on the edge of the Commercial Arterial Existing (CAE) policy. The front portion of parcel 328 falls within a commercial policy and is already zoned CS. Rezoning the remainder of this parcel will clean-up the Subarea 7 Land Use Policy Map where the commercial policy should have been applied originally. A commercial zoning pattern exists in this area from 52nd Avenue North back to the applicant's currently zoned CS portion of property, along Delaware Avenue. The Subarea 7 Plan recognized the existing commercial properties along 51st Avenue North and designated that area as a Commercial Arterial Existing (CAE) policy, while it should have included all of this parcel—not just part of it."

16. 2001Z-122U-05

Map 060-00, Parcel(s) Part of 47 (4.5 ac)
Subarea 5 (1994)
District 4 (Majors)

A council bill to change from CS and RS7.5 districts to OR20 or OL districts a portion of property at 2816 Dickerson Pike, approximately 3,800 feet south of Ewing Drive (4.5 acres), requested by John Elliott of Hearthwood Properties, LLC, appellant, for Stadium Properties, LTD, owner.

Mr. Hardison stated the applicant has submitted letter requesting OR20 or OL rather than just OR20 and the Councilmember has been notified.

Staff recommends *approval*.

- Subarea Plan amendment required? No.
- Traffic Impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This council bill is to change 5 acres from CS and RS7.5 (residential) to OR20 (office and residential) district a portion of property at 2816 Dickerson Pike, approximately 3,800 feet south of Ewing Drive. The existing RS7.5 district is intended for single-family homes at 4.9 dwelling units per acre. The proposed CS district is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses. The proposed OR20 district is intended for office and/or residential multi-family uses at 20 dwelling units per acre. The applicant is requesting this zone change to accommodate the development of the Tennessee Department of Probation and Parole Office Building.

Subarea 5 Plan

A small portion of the property is located within the Subarea 5 Plan's Commercial Arterial Existing (CAE) policy and the remainder of property is within the Residential Medium (RM) policy. The RM policy calls for 4 to 9 dwelling units per acre and the CAE policy recognizes an area's existing commercial uses. The current RS7.5 zoning is consistent with the RM policy and the existing CS zoning is consistent with the CAE policy.

OT - Transitional Office Policy

The General Plan explains OT (transitional office) policy as follows:

"OT is a policy category 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."

This property is located on the border between IND (industrial) policy to the south, RM policy to the north, and CAE policy to the east, with this condition the OR20 zoning district, that is consistent with the OT policy, would create a buffer between the existing IND, RM, and CAE policy areas. In the past few years the Planning Department has tried not to apply the OT policy, since it can allow for the encroachment of commercial uses into residential areas. But in this case staff believes applying the OT policy is appropriate due to the unique location of the property. This policy is applied only in very limited areas as a last resort method of achieving land use compatibility. Locations are not predetermined on subarea land use policy maps.

Staff recommends approval the proposed OR20 zoning district. Although the OR20 zoning is suitable for this property, it would not be appropriate to extend either the OR20 zoning or the OT policy further north into the RM policy area.

Traffic

The Metro Traffic Engineer has indicated that Dickerson Pike can accommodate the traffic that would be generated by this zone change.

No one was present to speak at the public hearing.

Mr. Jim Murphy stated he had talked to the person that requested this be taken off of the consent agenda and he was okay with it after that.

Ms. Nielson moved and Mr. McLean seconded the motion, which carried unanimously, to close the public hearing and approve staff recommendation.

Resolution No. 2001-569

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-122U-05 is **APPROVED (7-0) for OR20 district or OL district:**

The proposed OR20 or OL district is consistent with the Subarea 5 Plan's Commercial Arterial Existing (CAE) policy along Dickerson Pike and the Residential Medium (RM) policy on the remainder of the property. It is appropriate to apply the OT (Office Transitional) policy to this property since it allows 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. In this case, the office zoning will serve as a buffer between the industrial area to the south and the residential to the north."

18. 2001Z-124G-13
Map 165-00, Parcel(s) 38 (3.20 ac)

Subarea 13 (1996)
District 29 (Holloway)

A request to change from AR2a district to R10 district property at 4220 LaVergne Couchville Pike, approximately 250 feet south of Pin Hook Road (3.95 acres), requested by James Chumbler, owner.

Mr. Hardison stated staff recommends *approval*.

- Subarea Plan amendment required? No.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

This request is to change 3.95 acres from AR2a (agricultural) to R10 (residential) district property at 4220 LaVergne-Couchville Pike, approximately 250 feet south of Pin Hook Road in Antioch. The existing AR2a district is intended for agricultural and residential uses at one dwelling unit for every two acres. The proposed R10 district is intended for single-family and duplex dwellings at 3.7 units per acre. The applicant wants to sell a portion of the property for residential development.

Staff recommends approval of the proposed R10 zoning since it is consistent with Subarea Plan. This section of Antioch is largely AR2a zoning with an emerging RS10 zoning pattern. There are two residential PUD's (Lakewood Village (97P-008G) and Peppertree Forest (88P-047G)) in the immediate area that are zoned RS10. The Planning Commission approved a zone change from AR2a to R10 for the adjacent parcel 34 (96Z-113G) in November 1996. The Commission cited that R10 zoning was consistent with the Subarea 13 Plan's Residential Low Medium (RLM) policy, which calls for 2 to 4 dwelling units per acre.

Traffic

The Metro Traffic Engineer indicates that LaVergne-Couchville Pike can sufficiently accommodate the traffic that would be generated by a R10 residential development on approximately 4 acres.

Schools

A single-family development with 15 single-family lots could generate approximately 3 students (1 elementary, 1 middle, and 1 high school). Students would attend Mt. View Elementary School, Kennedy Middle School, and Antioch High School. The School Board is currently reviewing school capacity figures and final numbers are not yet available for these schools.

Ms. Pam Demonbreum spoke in opposition to the proposal and expressed concerns regarding flooding, more houses, and more concrete

Mr. James Chumbler, property owner, spoke in favor of the proposal.

Ms. Nielson moved and Mr. Cochran seconded the motion, which carried unanimously, to close the public hearing.

Ms. Nielson moved and Mr. Cochran seconded the motion, which carried unanimously, to approve the following resolution:

Resolution No. 2001-570

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-124G-13 is **APPROVED (7-0)**:"

The proposed R10 district is consistent with the Subarea 13 Plan’s Residential Low Medium (RLM) policy calling for 2 to 4 dwelling units per acre. It is also consistent with the emerging RS10 zoning pattern in the area.”

20. 2001Z-126U-14

Map 062-00, Parcel(s) 243 (1.55 ac), 152 (3.22 ac), 101 (2.43 ac),
160 (0.78 ac), 151 (1.52 ac)
Subarea 14 (1996)
District 15 (Loring)

A council bill to change from CA district to CS district properties at 2434, 2440, 2444, 2450, 2454 Music Valley Drive, approximately 250 feet south of Music City Circle (9.5 acres), requested by Ronnie Hobbs of JAH Management, appellant, for Fiddlers Inn, Inc., Hobbs & Sons L.P., and FAC Properties, LP, owners.

21. 17-83-U-14

Music Valley Drive Commercial PUD
Map 62, Parcel(s) 101, 151, 152, 160, and 243
Subarea 14 (1996)
District 15 (Loring)

A council bill to cancel the Commercial Planned Unit Development District mlocated abutting the west margin of Music Valley Drive, 150 feet north of Rudy Circle, classified CA and proposed for CS district (9.5 acres), approved for a miniature golf course, an undeveloped 32,700 square foot retail center, a restaurant and a private access driveway, requested by Ronnie Hobbs, for Fiddlers Inn, Inc., owner.

22. 2001Z-128U-14

Map 062-00, Parcel(s) 154
Subarea 14 (1996)
District 15 (Loring)

A request to change from CA district to CS district property at 2425 Music Valley Drive, north of McGavock Pike (1.27 acres), requested by Ronnie Hobbs, appellant, for Hobbs and Sons, L.P., owner.

23. 74-73-G-14

Music Valley PUD
Map 62, Parcel(s) 154
Subarea 14 (1996)
District 15 (Loring)

A request to cancel a portion of the Commercial Planned Unit Development Distirct located abutting the east margin of Music Valley Drive, north of McGavock Pike, classified CA and proposed for the CS district (1.27 acres), approved for a 2,880 square foot convenience market and an undeveloped 2,880 square foot retail building, requested by Ronnie Hobbs, for Hobbs and Sons, L. P. owner.

Mr. Leeman stated items 20, 21, 22, and 23 will be taken together.

Staff recommends *disapproval*.

- Subarea Plan amendment required? No, but this area should be closely considered during the next subarea plan update.
- Traffic impact study required to analyze project impacts on nearby intersections and neighborhoods? No.

Since the next four items are similar and since they are in the same area, the staff reports have been combined. The first request (2001Z-126U-14 and 17-83-U-14) is to change 9.5 acres from CA

(Commercial Attraction) to CS (Commercial Services) district at 2434, 2440, 2444, 2450, and 2454 Music Valley Drive, approximately 250 feet south of Music City Circle. There is also a request to cancel the partially developed Commercial PUD district that includes a miniature golf course, restaurant, a private access driveway, and an undeveloped 32,700 square foot retail center.

The second request (2001Z-128U-14 and 74-73-U-14) is to change 1.27 acres from CA (Commercial Attraction) to CS (Commercial Services) district at 2425 Music Valley Drive, north of McGavock Pike. There is also a request to cancel a portion of the partially developed Commercial PUD district that includes a convenience market and an unbuilt retail building. The existing CA district is intended for a wide range of amusement, recreational, and retail support uses typically associated with the tourist industry, while the CS district is intended for a wider range of commercial service related uses including low intensity manufacturing and storage uses.

Staff recommends disapproval of the CS district since the existing CA district more closely implements the Subarea 14 Plan’s Commercial Mixed Concentration (CMC) policy calling for “...*major commercial entertainment, sports and recreation activities, cultural activities, and production facilities for television and motion pictures.*” The Subarea 14 Plan, which was adopted on March 7, 1996, also states: “*Appropriate secondary uses include only those that are directly supportive of the uses stated above.*” (page 79)

The CS district allows many uses that are not permitted in the CA district. The following table outlines some of the differences between the two districts:

Land Use	CA (Existing)	CS (Proposed)
Billboard	N	P
Automobile Repair	N	P
Nonresidential Drug Treatment Facility	N	P
Medical or Scientific Lab	N	P
Major Appliance Repair	N	P
Home Improvement Sales	N	P
Wrecker Service	N	PC
Heavy Equipment Sales	N	PC
Self-service Storage (Mini-Storage)	N	PC
Manufacturing, Light	N	PC
Construction Demolition Landfill	N	PC
Distributive Business Wholesale	N	PC

N=Not Permitted P=Permitted PC= Permitted with Conditions

Staff recommends disapproval since the additional uses that would be allowed under the CS district will not serve to implement or enhance the existing CMC policy for this area. The existing CA district is the appropriate zoning district for this area, which is intended to include secondary uses that will support Opry Mills and the Opryland Hotel---major tourist attractions in this area. The CS zoning would allow uses that could pose a substantial risk to changing the area’s overall character—permanently.

Since this area has experienced a large amount of change in the last couple of years with the closing of the Opryland Theme Park and the opening of the Opry Mills Mall, it will be important during the next Subarea 14 Plan update to consider whether this property should move toward more of an office concentration or mixed-use policy, given the recent PUD revision for office uses in the Music City Outlet Center PUD.

No one was present to speak at the public hearing.

Ms. Nielson moved and Mr. Cochran seconded the motion, which carried unanimously, to disapprove:

Resolution No. 2001-571

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-126U-14 is **DISAPPROVED (7-0)**:

The proposed CS district is not consistent with the Subarea 14 Plan’s Commercial Mixed Concentration (CMC) policy calling for major commercial entertainment, sports and recreation activities, cultural activities, and production facilities for television and motion pictures and appropriate secondary uses include only those that are directly supportive of these uses. The additional uses that would be allowed under the CS district will not serve to implement or enhance the existing CMC policy for this area. The existing CA district is the appropriate zoning district for this area, which is intended to include secondary uses that will support Opry Mills and the Opryland Hotel. The CS zoning would allow uses that could pose a substantial risk to changing the area’s overall character—permanently.”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 17-83-U-14 is **DISAPPROVED (7-0)**:

Staff recommends disapproval since the additional uses that would be allowed under the CS district will not serve to implement or enhance the existing CMC policy for this area. The existing CA district is the appropriate zoning district for this area, which is intended to include secondary uses that will support Opry Mills and the Opryland Hotel—major tourist attractions in this area. The CS zoning would allow uses that could pose a substantial risk to changing the area’s overall character—permanently.”

"BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2001Z-128U-14 is **DISAPPROVED (7-0)**:

The proposed CS district is not consistent with the Subarea 14 Plan’s Commercial Mixed Concentration (CMC) policy calling for major commercial entertainment, sports and recreation activities, cultural activities, and production facilities for television and motion pictures and appropriate secondary uses include only those that are directly supportive of these uses. The additional uses that would be allowed under the CS district will not serve to implement or enhance the existing CMC policy for this area. The existing CA district is the appropriate zoning district for this area, which is intended to include secondary uses that will support Opry Mills and the Opryland Hotel. The CS zoning would allow uses that could pose a substantial risk to changing the area’s overall character—permanently.”

“BE IT FURTHER RESOLVED by the Metropolitan Planning Commission that Proposal No. 74-73-G-14 is **DISAPPROVED (7-0)**:

Staff recommends disapproval since the additional uses that would be allowed under the CS district will not serve to implement or enhance the existing CMC policy for this area. The existing CA district is the appropriate zoning district for this area, which is intended to include secondary uses that will support Opry Mills and the Opryland Hotel—major tourist attractions in this area. The CS zoning would allow uses that could pose a substantial risk to changing the area’s overall character—permanently.”

PRELIMINARY PLAT SUBDIVISIONS

27. 2001S-309U-12
CARLYLE VILLAGE
Map 162, Parcel(s) Part of 049 & 227

Subarea 12 (1997)
District 31 (Knoch)

A request for preliminary plat approval to create 49 lots abutting the northwest margin of Benzing Road and the northeast termini of Michele Drive and Yoest Circle (14.0 acres), classified within the R10 district, requested by Dotson-Thomason, owner/developer, Dale and Associates, Inc., surveyor.

Mr. Jones stated staff is recommending conditional approval.

Staff will make a recommendation at the meeting because the applicant is submitting a revised plat the week of the Commission meeting.

This request was originally scheduled for the October 25, 2001, Commission meeting, but due to the lack of a quorum it was rescheduled to December 6th. The October 25th deferral was also necessary because the subdivision was scheduled to go before the Metro Stormwater Management Committee on that date. A variance was granted by the committee (2001-65) to allow the construction of a portion of Michele Drive within the 50-foot buffer area along the floodway of Whittemore Branch.

This request is for preliminary plat approval to create 49 lots on 14 acres abutting the northwest margin of Benzing Road and the northeast termini of Michele Drive and Yoest Circle. The subdivision is a cluster lot development within the R10 district at a proposed density of 3.5 dwelling units per acre. The Zoning Ordinance allows residential developments to cluster lots within subdivisions in areas characterized by 20% or greater slopes or within the manipulated areas of the natural floodplain under the cluster lot option. A significant portion of this property is encumbered by the floodplain of Whittemore Branch, a tributary of Mill Creek. Lots within a cluster lot development may be reduced in area the equivalent of two smaller base zone districts, which means that this subdivision within the R10 district may create lots equivalent in size to the R6 district. The minimum lot size for a subdivision within the R6 district is 6,000 square feet. The proposed lots range in size from 5,000 square feet to just over 8,000 square feet. The applicant will submit a revised plat the week of the Commission meeting, and all lots will contain at least 6,000 square feet in order to be brought into compliance with the regulations of the cluster lot option. A typical subdivision on 14 acres and classified within the R10 district would allow 52 lots. In this case, the applicant has chosen to preserve the natural features of the property by employing the cluster lot option and is proposing 49 (number subject to change) lots on smaller lot sizes.

The Zoning Ordinance only allows perimeter lots to be reduced in size the equivalent of two zoning districts with the installation of a standard "C" landscape bufferyard. A 20-foot bufferyard is required to satisfy these requirements. At the rear of lots 9-12, the required 20-foot bufferyard is not shown, and a revised plat is needed showing that bufferyard.

A plat was recorded in 1986 (1986-141U) in which parcel 198 was established as a "reserve parcel." Reserve parcels are usually set aside in order to allow access to property to be developed in the future. Staff would like to see the reserve parcel added to the plat. Staff feels that an additional street connection to Ocala Drive through the reserve parcel would improve connectivity and help alleviate increased traffic on Michele Drive and Yoest Circle. Public Works has indicated, however, that the existing blue-line stream across the reserve parcel will require the installation of a bridge rather than a culvert in order to cross the stream. Public Works claims that a culvert would increase flooding and erosion in an already flood-prone area. Crossing of the stream with a bridge will require state and federal approval. While staff feels that the connection to Ocala Drive is essential, staff is unsure whether the creation of these 49 lots warrants the steps that must be taken to construct the bridge over the blue-line stream. If the Commission feels that a bridge is not warranted, parcel 198 should be added to the plat, or a permanent cul-de-sac or alternative design should be considered because the reserve parcel will never be utilized otherwise.

Staff recommends conditional approval subject to a revised preliminary showing a 20-foot landscape bufferyard behind lots 9-12.

Mr. George Benham spoke in opposition to the proposal and expressed concerns regarding water runoff and flooding, and asked for a deferral.

Julie Mast expressed concerns regarding a developing sinkhole between her property and her neighbor's property. At Easter it was only large enough for 2 Easter eggs, but two weeks ago it was a foot deep. Now it deeper than a yardstick and 14 inches wide. She said she has a soil conservationist coming to see if it is a natural growing sinkhole, and asked for deferral until after she had a chance to talk to him.

Mr. Jack Herbie expressed concerns regarding water runoff and erosion. He submitted pictures of recent water runoff.

Mr. Kerry Cobb expressed concerns regarding drainage and flooding.

Mr. Roy Dale, engineer, stated the community meeting Councilmember Knoch requested was with good results. This development went from 5,000 square foot lots to 10,000 square foot lots because they found out the zoning was R10. The developer has said he will not build any duplexes and all development will be outside of the floodplain. He asked the Commission for approval.

Mr. Clifton moved and Ms. Nielson seconded the motion, which carried unanimously, to close public hearing.

Ms. Regen stated Public Works will review the flooding and there is a retention area on the plat.

Ms. Nielson stated the runoff appears to run away from the shelf.

Ms. Jones stated she was happy with the plat and that Public Works will take care of the runoff.

Ms. Regen asked if the Commission wants the dead end street to continue to Ocala Drive.

Ms. Nielson asked if that would require a bridge.

Ms. Regen stated that would involve the construction of a bridge.

Mr. McLean recommended staff not require a cul-de-sac but to terminate the road.

Mr. McLean moved Ms. Nielson seconded the motion to approve a variance to the sidewalks and to terminate the street.

Mr. Clifton stated he was uncomfortable with this because of the massive water runoff.

Vice Chairman Small stated he was concerned, but they will have another chance to come back and talk at the final approval.

Mr. Dale stated the 100 year floodplain is being left untouched and all water from this development will go into the retention pond and slowly run into the branch.

Ms. Nielson asked if this should be deferred to get Public Works here for answers.

Mr. Dale stated it would be another month before the Commission meets again and asked they make it a condition that Public Works makes a recommendation on the approval.

Mr. McLean stated that was part of his motion.

Mr. Benham stated that when he met with Mr. Hendrix from the Corps of Engineers he said Public Works was relying on data form 1982.

The motion to approve carried, with Councilmember Summers in opposition.

Resolution No. 2001-572

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-309U-12, is **APPROVED WITH CONDITIONS 47 LOTS, NO STREET CONNECTION TO OCALA DR. SIDEWALK VARIANCE ALONG BENZING RD. DETAILED DRAINAGE INFORMATION NEED WITH FINAL PLAT DEMONSTRATING NO INCREASE IN FLOODING (6-0).**”

29. 2001S-335U-14
CLOVERWOOD
Map 096-12, Parcel(s) 032
Subarea 14 (1996)
District 14 (Stanley)

A request for preliminary plat for 19 lots abutting the southwest corner of Stewarts Ferry Pike and the south margin of McCrory Creek Road (16.81 acres), classified within the RS10 district, requested by Landmark Realty, owner/developer, Dale and Associates, surveyor.

Mr. Jones stated staff recommends *conditional approval* subject to a variance for sidewalks as well as a revised preliminary plat.

This request is for preliminary plat approval to create 19 lots on approximately 17 acres, abutting the southwest corner of Stewarts Ferry Pike and the south margin of McCrory Creek Road.

This subdivision is a cluster lot development within the RS10 district at a proposed density of 1.18 dwelling units per acre. The Zoning Ordinance allows residential developments to cluster lots within subdivisions in areas characterized by 20% or greater slopes or within the manipulated areas of the natural floodplain under the cluster lot option. Lots within a cluster lot development may be reduced in area the equivalent of two smaller base zone districts, which means that this subdivision within the RS10 district may create lots equivalent in size to the RS5 district. The proposed lots range in size from just over 8,000 square feet to 14,000 square feet. A typical subdivision on 17 acres and classified within the RS10 district would allow 63 dwelling units. In this case, the applicant has chosen to preserve the natural features of the property by employing the cluster lot option and is proposing only 19 lots.

Lakeland Drive, Hickory Bend Drive, and Cloverwood Drive have all been recorded as stub-streets into this property. There is no connection to Lakeland Drive in the proposal because this connection would encroach upon the floodway buffer of McCrory Creek. Hickory Bend Drive and Cloverwood Drive both terminate with cul-de-sacs because the applicant was unable to connect the roads due to the existing floodway buffer.

Variance – Sidewalks

A variance to Section 2-6.1 of the Subdivision Regulations is being requested by the applicant, and staff supports it in part. This section requires sidewalks to be constructed on both sides of the street within subdivisions.

1. Cloverwood Drive: Staff recommends approval of a variance for sidewalks along Cloverwood Drive. The adjacent Hickory Bend Subdivision was approved in 1962 without sidewalks. Staff feels that a variance for sidewalks on Cloverwood Drive is reasonable because it is simply a cul-de-sac, and the sidewalks would lead to the Hickory Bend Subdivision with no sidewalks. The applicant is providing a 10' paved ADA compliant greenway trail with 2' shoulders on both sides extending from the terminus of Lakeland Drive to Stewart's Ferry Pike in lieu of the sidewalks along Cloverwood and McCrory Creek Road. This trail will provide the opportunity for all of the Hickory Bend residents to access the future Stones River Greenway Trail.

2. Hickory Bend Drive: Staff recommends disapproval of a variance for sidewalks along Hickory Bend Drive. Hickory Bend Drive does lead into Hickory Bend subdivision which has no sidewalks, but staff feels that the road is long enough to warrant the need for sidewalks to insure safe, comfortable pedestrian circulation.
3. Stewart's Ferry Pike: Staff recommends disapproval of a variance for sidewalks along Stewart's Ferry Pike. The applicant claims that McCrory Creek prevents the installation of a sidewalk along Stewart's Ferry Pike. Staff believes, however, that a sidewalk can be constructed on the portion of Stewart's Ferry Pike not encumbered by McCrory Creek. A sidewalk is necessary to provide the opportunity to cross Stewart's Ferry at a point at which the future greenway may resume on the other side. Staff is recommending disapproval of the variance because it is possible to construct the walk from the end of the proposed greenway trail away from McCrory Creek to Parcel 013.
4. McCrory Creek Road: Staff recommends approval of a variance for sidewalks along McCrory Creek Road. The applicant claims that the topography between McCrory Creek Road and McCrory Creek is too steep to construct sidewalks. Staff agrees, and recommends approval of the variance for sidewalks along McCrory Creek Road due to steep topography. McCrory Creek Road is a future collector, however, and a 5-foot right-of-way dedication is necessary to bring the road up to collector standards.

Greenway

As mentioned, the applicant is providing a 10' paved ADA compliant greenway trail with 2' shoulders on both sides to Metro Greenways Standards extending from the terminus of Lakeland Drive to Stewart's Ferry Pike in lieu of the sidewalks along McCrory Creek Road and Cloverwood Drive. The trail is located within a dedicated conservation/greenway trail easement area. This trail will provide the opportunity for all of the Hickory Bend residents as well as other area residents to access the future Stones River Greenway Trail. Currently this plat makes no provision to provide access to the trail for residents within this proposed subdivision. A revised preliminary plat shall be submitted showing 20-foot easement and a 5-foot paved trail from the proposed greenway trail to the cul-de-sacs on Hickory Bend Drive and Cloverwood Drive.

Staff recommends conditional approval of the preliminary plat subject to a variance for sidewalks and a revised preliminary plat showing:

1. A 5-foot right-of-way dedication along the property's entire frontage on McCrory Creek Road.
2. A 20-foot greenway/conservation open space easement with a 5-foot paved trail to the proposed greenway trail from the cul-de-sacs on Hickory Bend Drive and Cloverwood Drive.
3. A 5-foot sidewalk with a 4-foot grass strip along the portion of Stewart's Ferry Pike not encumbered by McCrory Creek, in accordance with Public Works standards.
4. A revised water quality concept. Public Works has indicated that the proposed pond is not sufficient for the amount of proposed development.

Mr. Dale stated he was willing to defer.

Councilmember Stanley stated he had concerns because of impacting this area's citizens with traffic on Stewart's Ferry Pike and drainage problems. He wants to see Metro, before anymore development encroaches on the 100 year floodplain, adopt a comprehensive stormwater program to provide money for those issues. He asked for a deferral.

Mr. McLean moved and Councilmember Summers seconded the motion, which carried unanimously, to leave the public hearing open and defer this matter.

30. 2001S-336U-10
HEATH SUBDIVISION

Map 130-08, Parcel(s) 116, 152 & 153
Subarea 10 (1994)
District 34 (Williams)

A request for preliminary plat approval to reconfigure three lots and eliminate a dedicated but unbuilt street "Odell Court" abutting the north margin of Harding Place, approximately 373 feet west of Wellington Park Court (1.93 acres), classified within the R20 district, requested by Haury and Smith, owner/developer, Gresham, Smith and Partners, surveyor.

Ms. Regen stated staff recommends *conditional approval* subject to a variance for the creation of a flag-shaped lot, a variance for lot depth to width ratio, and approval by the Metro Stormwater Management Committee to cross the blue-line stream and buffer.

The Planning Commission approved a final plat for this subdivision on April 29, 1999. The plat was recorded on January 28, 2000, after a bond for the construction of Odell Court was satisfied.

This request is for a new preliminary plat to reconfigure three lots on 2 acres and eliminate a dedicated, but unbuilt street "Odell Court" abutting the north margin of Harding Place, approximately 373 feet west of Wellington Park Court. The property is classified within the R20 district. This site is encumbered by a blue-line stream that bisects the property. There is a previously approved box culvert that allows vehicles to cross the stream via a 20-foot-wide joint access easement. This easement provides a shared driveway to the three lots. No sidewalks are required for this subdivision because sidewalks are not required for subdivisions zoned R20 and above, or where proposed lots equal or exceed 20,000 square feet in size. The proposed subdivision satisfies all requirements of lot comparability.

Variance – Flag Lot

The Subdivision Regulations state that flag lots generally shall not be permitted, however, the Planning Commission may waive this requirement if direct lot frontage on a street is precluded by unusual topographic conditions. The applicant has submitted a variance request for the creation of a flag-shaped lot (Lot 2) with frontage on Harding Place. The applicant claims that the blue-line stream bisecting the property creates an unusual hardship. According to the applicant, the construction of the cul-de-sac shown on the previously approved plat results in an encroachment into the water quality buffer along the stream and requires additional fill in an area already prone to flooding. While the elimination of the cul-de-sac creates an exaggerated version of the previously approved flag-shaped lot, disturbance of the stream system will be minimized by granting this variance. Staff supports the variance due to the constraints created by the blue-line stream.

Variance – Lot's Depth to Width Ratio

The Subdivision Regulations require that a lot's width shall not be less than 25% of the average depth. Both Lots 1 and 2 have lot widths that are less than 25% of the average lot depth. The applicant has submitted a variance request for lot depth to width ratio. The applicant claims that the position of the blue-line stream and buffer requires that the building envelopes for Lots 1 and 2 must be located north of the stream and buffer area. This requirement necessitates the creation of extraordinarily deep lots. Denial of the variance would require the extension of a public street further into the property. This street extension would further impact the water quality buffer. Staff supports the variance due to the constraints created by the blue-line stream.

Stormwater Approval

Public Works has indicated that crossing the blue-line stream and buffer with the proposed driveway will require an appeal before the Metro Stormwater Management Committee. Although the crossing was previously approved in 1999, stormwater regulations have changed since that time, and this plat must conform to today's regulations. Staff recommends conditional approval subject to approval of encroachment into stream and buffer area by the Stormwater Management Committee prior to submittal of the final plat.

Staff recommends conditional approval subject to a variance for the creation of a flag-shaped lot, a variance for lot depth to width ratio, and approval by the Metro Stormwater Management Committee to cross the blue-line stream and buffer.

Mr. Elliott Osmond spoke in opposition to the proposal and expressed concerns regarding flooding and asked for a deferral.

Mr. Ed Owens asked the Commission to keep in mind this is a subdivision that was approved in 1989 with an update this past summer. There is complicated drainage, but this is under construction. All the Commission is being asked to do is to approve the cul-de-sac. That is all that is in front of the Commission today.

Ms. Jones moved and Mr. McLean seconded the motion, which carried unanimously, to close the public hearing and conditionally approve.

Resolution No. 2001-573

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-336U-10, is **APPROVED WITH CONDITIONS AND A VARIANCE FOR A FLAG-SHAPED LOT (SECTION 2-4.2A) AND LOT DEPTH TO WIDTH RATIO (SECTION 2-4.2E) OF THE SUBDIVISION REGULATIONS (7-0).**”

31. 2001S-351U-10
WOODMONT HALL
Map 116-08, Parcel(s) 081
Subarea 10 (1994)
District 34 (Williams)

A request for preliminary plat approval for three lots abutting the north margin of Woodmont Boulevard, approximately 371 feet west of Estes Road (1.18 acres), classified within the R10 district, requested by Haurly and Smith, owner/developer, Gresham, Smith & Partners, surveyor.

Mr. Jones stated staff recommends *disapproval*.

This request is for preliminary plat approval to create three lots on 1.18 acres abutting the north margin of Woodmont Boulevard, approximately 371 feet west of Estes Road. The property is classified within the R10 district. The subdivision proposes a new public street, Woodmont Hall, to be constructed from Woodmont Boulevard onto the property in order to give proposed lots 2 and 3 public road frontage.

Two versions of this road extension have been submitted by the applicant. One version includes a cul-de-sac, and the other does not. The applicant prefers the version without the cul-de-sac, and claims that a lot of good lot area and building envelope area is sacrificed to build a turnaround that few people will use. The Metro Traffic Engineer disagrees. The Traffic Engineer has indicated that a turn-around should be provided for greater convenience to traffic and more effective police and fire protection. Also, typically the end of a street does not constitute road frontage. Proposed Lot 3 has road frontage solely on the end of the road rather than from the side. This is different from a cul-de-sac in that the driveway for Lot 3 may be mistaken for the road because it must extend directly from it. Staff is recommending disapproval of the version without the cul-de-sac because the Traffic Engineer is requiring a turnaround, and the end of a dead-end street does not constitute road frontage.

Variance - Lot Comparability

Both versions of this subdivision fail lot comparability. The Subdivision Regulations require that subdivided lots be comparable in size (frontage and area) to lots within 300 feet of the proposed subdivision boundary. The 300-foot distance includes all abutting lots as well as lots located on the same

and opposite sides of the street. The regulations require that proposed lots have 90% of the average street frontage and contain 75% of the square footage of existing lots considered in the comparability analysis. A comparability study was prepared to determine whether or not the proposed lots within the subdivision are comparable to the surrounding lots. The minimum allowable lot area for this subdivision is 12,025 square feet, and the minimum allowable lot frontage is 73 feet. The version without the cul-de-sac fails lot comparability for both area and frontage. Proposed Lot 2 contains only 10,760 square feet, and proposed Lot 3 has only 46 feet of road frontage (the right-of-way width). The version with the cul-de-sac only fails lot comparability for lot area. Lot 3 contains only 11,590 square feet. Lot 1 has been set back 65 feet from Woodmont Boulevard because this is the average setback of the surrounding lots. The Subdivision Regulations state that corner lots adjacent to a proposed and existing street *"shall include a line establishing a building setback equal to the average setback of surrounding lots along the existing street."* The applicant believes that this is the only applicable requirement of lot comparability for this subdivision. The applicant claims that lot comparability was not intended for subdivisions proposing new streets. Staff disagrees. Subdivisions that are large enough in terms of acreage or number of lots to evoke their own character should be exempt from lot comparability. Simply because a new street is constructed should not preclude applying lot comparability to an infill subdivision where an established residential character exists.

Staff is recommending disapproval of both proposed plat versions because they fail lot comparability. Staff feels that constructing a road off Woodmont Boulevard at this point in order to create three lots will affect the existing character along this residential street. Approving this subdivision would also likely set a precedent for other larger lots in the area to follow. The end result would be increased curb cuts, greater traffic volumes on an already overcrowded street (Woodmont Boulevard), and short streets that will never have the opportunity to be extended.

Staff recommends disapproval of the proposed subdivision because it fails lot comparability.

Carolyn Ferrigus spoke in opposition and expressed concerns regarding duplexes being built and 6 families in such a small area.

Mr. Ed Owens presented several options on the plan and stated the comparability and cul-de-sac are the only issues.

Mr. McLean asked if they would actually be duplexes.

Mr. Owens stated that is a possibility.

Mr. Clifton moved and Councilmember Summers seconded the motion, which carried unanimously, to close the public hearing.

Councilmember Summers stated he was concerned regarding setting a precedent in this area. There will be additional traffic and this is not good planning with more street cuts along Woodmont.

Ms. Jones stated this is in character with the neighborhood because there area all kinds of little hide away homes and nooks like this in that area.

Mr. McLean moved to approve with the straight in street design.

Vice Chairman Small stated the Traffic Engineer did not approve that one.

Mr. McLean moved to approve alternate number 1 subject to Public Works approval, and if that they do not approve that design, alternate 2 will take its place.

Mr. Clifton seconded the motion.

Mr. Regen stated the Traffic Engineer has already said he wouldn't accept plan 1.

Ms. Jones asked if staff would have approved it if they had seen this plan before.

Ms. Regen stated no because of the street cuts.

Vice Chairman Small stated Mr. McLean's motion and Mr. Clifton's second will be for alternate plan 2, which carried with Councilmember Summers and Ms. Jones opposition, to approve the following resolution:

Resolution No. 2001-574

"BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2001S-351U-10, is APPROVED WITH CONDITIONS ALTERNATIVE #2 SHOWING A CUL-DE-SAC STREETLAND ALL LOTS COMPLYING WITH LOT COMPARABILITY (4-2)."

Due to a loss of a quorum the meeting was adjourned at this point.

FINAL PLAT SUBDIVISIONS

34. 2001S-116G-04
MARDALEE SUBDIVISION
Map 043-10, Parcel(s) 16, 17, 18, 28, & 29
Subarea 4 (1998)
District 9 (Dillard)

A request for final plat approval for a sidewalk variance on the north margin of North Dupont Avenue, Nix Drive, and Scalf Drive, (2.48 acres), classified within the RS7.5 district, requested by Oliver Dale and James Humphrey, Jr., owners/developers, Jesse Walker Engineering, surveyor.

36. 2001S-185U-05
LUTON MERIDIAN SUBD.
Map 071-11, Parcel(s) 020 & 030
Subarea 5 (1994)
District 5 (Hall)

A request for final plat approval for 16 lots between Meridian Street and Luton Street, approximately 190 feet north of Gatewood Avenue (3.43 acres), classified within the RS5 District, requested by Fred W. and Kaye S. Hahn, Jr., owners/developers, Jesse Walker Engineering, surveyor.

38. 2001S-311U-05
MAPLEWOOD HEIGHTS 2ND SUBDIVISION
Resubdivision of Lot 235
Map 061-10, Parcel(s) 021
Subarea 5 (1994)
District 4 (Majors)

A request for final plat approval to subdivide one lot into two lots abutting the northwest margin of Hutson Avenue, approximately 1,060 feet southwest of Virginia Avenue (.69 acres), classified within the RS15 district, requested by William H. Dorris and Robert B. Huffine, owners/developers, Burns and Associates, surveyor.

40. 2001S-315G-03

WILLIAM H. THOMPSON, JR. PROPERTY
Map 039, Parcel(s) Part of 165
Subarea 3 (1998)
District 1 (Gilmore)

A request for final plat approval to create one lot abutting the northeast margin of Old Hickory Boulevard, approximately 1,313 feet northwest of Whites Creek Pike (.70 acres), classified within the R15 district, requested by William H. Thompson, Jr., owner/developer, Walter Davidson and Associates, surveyor.

47. 2001S-334U-14
LARCHWOOD, Section 7, Resubdivision of Lots 406 and 407
Map 108-04, Parcel(s) 191 & 192
Subarea 14 (1996)
District 14 (Stanley)

A request for final plat approval to consolidate two lots into one lot abutting the northeast margin of Fitzpatrick Road, approximately 940 feet southeast of Blackwood Drive (.64 acres), classified within the RS10 district, requested by Frank Batson Quality Homes, owner/developer, C. Michael Moran, surveyor.

49. 2001S-342G-06
HARPETH CREST, Phase 2
Map 141-00, Parcel(s) Part of 045 & 046
Subarea 6 (1996)
District 35 (Lineweaver)

A request for final plat approval to create 36 lots abutting the north terminus of River Bend Road and the north terminus of Morton Mill Road (33.1 acres), classified within the RS20 district, requested by Harpeth Crest LLC, owner/developer, Daniels and Associates, Inc., surveyor.

51. 2001S-347G-04
A. E. WILLIAMS SUBDIVISION
Map 034, Parcel(s) 037
Subarea 4 (1998)
District 11 (Brown)

A request for final plat approval to subdivide one parcel into two lots abutting the southwest margin of Swinging Bridge Road and the northwest margin of Warren Drive (3.54 acres), classified within the R10 and R15 districts, requested by Tom Williams et ux, owners/developers, Bruce Rainey and Associates, surveyor.

PLANNED UNIT DEVELOPMENTS (revisions)

54. 157-77-G-12
Windlands Retirement Community
Map 133, Parcel(s) 117
Subarea 12 (1997)
District 26 (Arriola)

A request for a variance to Section 17.32.080 (Sign Regulations) for the Residential Planned Unit Development District located abutting the north margin of Sam Boney Drive, east of Nolensville Pike, classified RM20 (12.61 acres), to place additional wording on a wall sign adding the word "Retirement" to the existing wall sign containing 192 square feet of sign area, requested by Straight Sign Company, for Congregate Care Asset V, owner.

OTHER BUSINESS

- 75. Amendments to Subdivision Regulations (Sidewalks)
- 76. Urban Design Overlay District Approval Procedure
- 77. Legislative update

ADJOURNMENT

Their being no further business, upon motion made, seconded and passed, the meeting adjourned at 6:50 p.m.

Chairman

Secretary

Minute Approval: this 10th day of January 2002

