



**Project No.**

**Request to adopt the updated Land Use Policy Application document**

Associated Case

None

Council Bill

None

Staff Reviewer

Wood

Staff Recommendation

*Defer indefinitely*

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**REQUEST**

**Adopt the updated Land Use Policy Application document**

**Background**

Land Use Policy Application is the document that contains all of the land use policies that are used in Nashville's community (subarea) planning process. This document came into existence in 1993 and has not been amended since then. It is being updated at this time to:

- Add all of the new policy categories that have come into existence since the adoption of the North Nashville Community Plan update in January 2000
- Add a section on the Transect, a planning categorization system that categorizes the areas of a region from the most rural to the most urban, and reorganize the document to fit the Transect.
- Make revisions to the older policy categories

Staff has held three community meetings to discuss the changes to Land Use Policy Application. Those meetings were attended by 30 people who mainly had questions about the document.

Staff is asking that the Commission defer action indefinitely and keep the public hearing open to give the Commission adequate time to study this important document and recommend changes and to give staff time to make additional changes.

The attached document summarizes the changes to Land Use Policy Application.

**Summary of Changes to Land Use Policy Application**

The document has been completely reorganized to fit the Transect, a planning categorization system that categorizes the areas of a region from the most rural to the most urban. The various



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policy categories now fall under their respective Transect zones (ex: Natural Conservation and Rural fit under the Rural Transect zone)

Language has been added to the Introduction to the document to reflect the changes that have been made throughout the rest of the document.

A section that briefly describes the community planning process in Nashville has been added at the beginning of the document.

A section describing the Transect and each of the Transect zones has been added at the beginning of the document.

The organization within the chapters has also been changed so that each category is now divided into General Characteristics and Intent; Application; Appropriate Land Uses; and Design Principles, the way the Structure Plan categories are organized in the North Nashville Community plan. For the most part, the Design Principles sections are new language (often borrowing heavily from the North Nashville language). The language of the old policy categories has been moved around to fit into the new structure.

The old commercial categories have had language added to them that states that ideally they should redevelop over time to become more pedestrian friendly.

The introductions to the chapters are all new or revised.

### **Part One: Structure Plan Categories**

#### **General Principles**

**Choosing a Structure Plan Category:** No changes.

**Determining Boundaries of Structure Plan Areas:** Minor wording changes

**Areas With Sensitive Environmental Features:** All these policies now say they are meant to be used in all categories except Natural Conservation, Downtown Core, Central Business District, and older developed traditional neighborhood development areas.

**Sites and Areas with Historical Significance:** No changes.

**General Accessibility Policy:** This section has been changed so that the part about Access and Intensity now refers to high intensity uses being located in areas with the greatest accessibility and mobility options rather than having direct access to an arterial street. This is to enable the community to have commercial and mixed use areas that are not in a strip pattern. The policy says that "...such uses should be located along major streets, such as arterials and key collectors, and those streets that are in close proximity to them." This means that a town center could be developed in an area several blocks square, for example, rather than along an arterial strip.



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The subsection called “Policies Related to Roadways,” which referred to the level of service of roadways and improvements to roadways, has been taken out.

Language regarding the importance of connectivity has been added to the subsection on Access Policies for Local Streets.

**Preservation of Affordable Housing Stock:** No changes.

**General Policies for Residential Areas:** This section has been moved to this part of the document from what had formerly been the chapter on residential policies. Language about complete neighborhoods has been added. A section that would allow residential infill than the policy category would normally allow on vacant corner lots along collector or arterial streets in certain locations has been added. These locations would be within ¼ mile of an arterial street when the land use policy along the arterial street frontage at the point of measurement is within RLC, RN, CMC, CAE, NC, CC, RCC, RCS, or RAC policy. The vacant lots must be on a street that is served by transit, and a Planned Unit Development or Urban Design Overlay must be used.

### Chapter 1: Natural Areas

**OS and POS – Open Space:** New Structure Plan category.

**MPOS – Major Public Open Space:** Being phased out and replaced by the above.

### Chapter 2: Rural Areas

**NCO – Natural Conservation:** A statement has been added that says that “In general, densities should not exceed one dwelling unit per two acres.” Also, the language that allowed development at densities between two and four dwelling units per acre under certain limited conditions has been taken out. Areas that would have met those conditions will now be specifically mapped with Residential Low-Medium Density policy instead, as was done in the Bellevue community plan.

**R – Rural:** New category

**IN – Interim Non-urban:** Being phased out.

### Chapter 3: Suburban Areas

**CE – Corridor Edge:** New category

**RL – Residential Low Density:** A statement has been added that says that residential development other than single family is only appropriate in areas that are specified in a Detailed Neighborhood Design Plan or where there is a Special Policy in place.



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**RLM – Residential Low-Medium Density:** A statement has been added that says that residential development other than single family is only appropriate in areas that are specified in a Detailed Neighborhood Design Plan or where there is a Special Policy in place.

**RLC – Retail Local Convenience:** A statement has been added that says that upper floor residential is appropriate.

### Chapter 4: Neighborhood Areas

**CG – Corridor General:** New category

**NG – Neighborhood General:** New category

**RM – Residential Medium Density:** A statement has been added that says that the locations of different housing types should be specified on a Detailed Neighborhood Design Plan.

**NC – Neighborhood Center:** New category

**RN – Retail Neighborhood:** A statement has been added that says that upper floor residential is appropriate.

**OT – Office Transition:** No changes.

### Chapter 5: Centers

**NU – Neighborhood Urban:** New category

**RMH – Residential Medium-High Density:** A statement has been added that says that the locations of different housing types should be specified on a Detailed Neighborhood Design Plan.

**RH – Residential High Density:** A statement has been added that says that the locations of different housing types should be specified on a Detailed Neighborhood Design Plan.

**CC – Community or Corridor Center:** New category

**CMC – Commercial Mixed Concentration:** No changes

**CAE – Commercial Arterial Existing:** A statement has been added that says that these areas are intended to redevelop into Community Center areas over time. A statement has also been added that says that commercial zoning between major intersections should not be intensified unless special circumstances apply, such as an existing pattern of intensive commercial zoning.

**RCC – Retail Concentration Community:** A statement has been added that says that higher density and upper floor residential uses in buildings with ground floor commercial are appropriate uses.



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**RCS – Retail Concentration Supercommunity:** A statement has been added that says that higher density and upper floor residential uses in buildings with ground floor commercial are appropriate uses.

**RAC – Regional Activity Center:** No changes.

**MU – Mixed Use:** No changes.

### Chapter 6: Core

**DC – Downtown Core:** New category

**CBD – Central Business District:** Being phased out

### Chapter 7: Districts

**General Policies:** No changes

**OC – Office Concentration:** No changes

**MI – Major Institutional:** New category

**IN – Industrial:** New category

**IND – Industrial and Distribution:** Being phased out

**I – Impact:** New category

**MT – Major Transportation:** Being phased out

**CUL – Community Uses Limited:** Being phased out

**SUA – Special Use Area:** Being phased out

### **Part Two: Detailed Land Use Categories**

These are all new categories. They are:

- Parks, Reserves and Other Open Space
- Civic or Public Benefit
- Cemetery
- Single Family Detached
- Single Family Attached and Detached
- Mixed Housing
- Institutional
- Transition or Buffer



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- Office
- Mixed Live/Work
- Mixed Use
- Commercial
- Light Mixed Industrial
- Heavy Mixed Industrial
- Hazardous Industrial or Mineral Extraction
- Transportation
- Utility
- Amusement and Entertainment
- Agricultural

**Part 3: Standard Policies for Areas Without Detailed Neighborhood Design Plans:** New material.

**Appendix A: Building Typologies by Structure Plan Area and Detailed Neighborhood Design Plan Land Use Designation:** New material.

**Appendix B: Building Typology Illustrations:** New material

Appendix C: Transect Map: **New Material**



**Project No.**  
**Council Bill**  
**Associated Cases**  
**Requested By**

**Zone Change 2004Z-001T**  
BL2004-156  
None  
Councilmember David Briley

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

Kleinfelter  
*Approve with conditions*

**APPLICANT REQUEST**

This council bill proposes to amend Sections 17.04.060 (Definitions of General Terms), 17.08.030 and 17.16.110 of the Zoning Code to designate zoning districts where a Recycling Facility is permitted, and to establish conditions for such a facility when permitted with conditions.

**ANALYSIS**

Existing Law:

Any facility that separates waste in order to recycle appropriate materials currently is allowed under the Zoning Code only as "Waste Transfer" (17.16.210(C)), which requires a minimum lot size of 10 acres, pre-approval of the site by the Metro Council, and approval of a special exception permit by the Board of Zoning Appeals. The Code provides for a "Recycling collection center," but such facilities are limited to "the temporary assemblage of small recyclable consumer items such as food and beverage containers, fabrics and paper."

Proposed Text Change:

The proposed text change would insert a new definition in the Zoning Code as follows:

**"Recycling facility" means a facility where any method, technique, or process utilized to separate, process, modify, convert, treat or otherwise prepare non-putrescible waste so that component materials or substances may be used or reused or sold to third parties for such purposes. The use or reuse or a solid waste may not be used in a manner that would constitute solid waste disposal."**

**"Putrescible waste" means material which is capable of undergoing the process of decomposition resulting in the formation of malodorous byproducts."**



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“Recycling facilities” would be added to the Zoning District Land Use Table of 17.08.030 as “Permitted with Conditions” in the IWD, IR and IG zone districts.

As currently drafted, the ordinance includes the following conditions that would be required to be met before a permit could be issued for a Recycling Facility:

1. Minimum lot size of one acre.
2. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas must be located a minimum of one hundred feet from any residential zoning district boundary or residential structure.
3. Landscape buffer yard. Along all residential zone districts permitting residential use, screening in the form of landscape buffer yard Standard D would be required. In addition, the entire facility must be enclosed by a chain-link type fence at least eight feet in height. The fence must be patrolled each day to remove all windblown debris captured by the fence.
4. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street’s intersection with a collector street or a street designated on the major street plan. A traffic impact study must show that traffic generated to/from the site will only use streets where the existing level of service (LOS) is "D," and it is forecasted to remain at a LOS D or better with the proposed recycling facility traffic.
5. All compacting, sorting, processing or storage must take place within a completely enclosed building. Loading and unloading of materials must take place on a partially enclosed loading dock if the loading dock connects directly to the building in which processing or storage of the materials takes place, or within a completely enclosed building. If a recycling facility uses a loading dock for loading and unloading, the dock may not be used for storage and must be cleaned of all materials at the close of each business day.





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### Recommendation:

A similar ordinance was considered by the Commission at its December 12, 2002, meeting. At that time, staff recommended disapproval of the text change because the Vice Mayor had recently appointed a special committee to investigate several solid waste management issues, including recent requests for location of waste transfer stations under the provisions of 17.16.210(C). Staff recommended that the proposed text change be considered along with all other waste management issues by the newly created Council solid waste study committee. Staff has been informed that the special committee has met several times since December 2002, but it does not appear the committee will make an official recommendation on the issue of the location of this type of waste facility.

### **Staff recommends approval of the proposed text change, with the condition that the ordinance should be amended to address the following issues:**

1. Enclosed areas of recycling facilities permitted under this ordinance should be required to have floors made of concrete or some other hard material that permits cleaning. In addition, areas around loading docks or other high-traffic areas should be required to be paved.
2. Hours of operation should be limited to 7:00 a.m. to 6:00 p.m. for any facility located adjacent to a zoning district that permits residential uses.
3. For any facility located adjacent to a zoning district that permits residential uses, all light and glare must be directed on-site to ensure surrounding properties are not adversely impacted by increases in direct or indirect ambient lighting levels.
4. When located adjacent to a zoning district that permits residential uses, opaque fencing must be provided in compliance with the terms of §17.24.210 G. of the Landscape Buffer Yard Requirements, except that said fencing must be at least eight feet high. The ordinance should also be amended to provide that the setback requirements for screening walls and fencing contained in §17.12.04 would be superceded by the special fencing requirements for Recycling Facilities.



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5. Although the term “completely enclosed building” is used by other sections of the Zoning Code, it is not defined. This opportunity should be taken to define the term to better enable the Zoning Administrator to enforce the requirement.

6. The proposed ordinance requires buildings, storage structures and loading areas to be at least 150 feet from “any residential zoning district boundary or residential structure.” That section should be amended to require the minimum distance requirement to apply to any zoning district that permits residential uses (which would include mixed use zoning districts). In addition, language should be added so that the minimum distance requirement for a “residential structure” would only apply to such structures that are legally occupied. No minimum distance requirement should be necessary for a vacant residential structure within an industrial zone district.

7. Staff believes the street standards provided in the ordinance may be too restrictive. Consideration should be given to whether the proposed street standards will provide reasonable opportunities for the location of Recycling Facilities.



**Project No.**  
**Council Bill**  
**Council District**  
**School Board District**  
**Requested By**  
**Associated Cases**  
**Deferral Action**

[Zone Change 2003Z-080U-12](#)  
BL2003-84  
32-Coleman  
2 – George Blue, Jr.  
Garry Batson, applicant, Janie Broadhead, owner  
None  
The Planning Commission recommended approval of RM9 and disapproval of RM20 on this property on June 26, 2003. Since the Metro Council deferred this item indefinitely during the last council term, a new bill had to be introduced. Since Councilman Coleman was not in office when this item was heard by the Planning Commission in June, he has re-referred this item back for further consideration. The item was also deferred by the Commission at the end of the February 12, 2004, meeting.

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

Reed  
*Approve*

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**APPLICANT REQUEST**

**Rezone 4.45 acres from AR2a to RM9 district property located at 91 Tusculum Road, at Benzing Road.**

**Existing Zoning**  
AR2a district

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

**Proposed Zoning**  
RM9 district

Intended for single-family, duplex, and multi-family dwellings at a maximum density of 9 dwelling units per acre.

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**SUBAREA 12 PLAN POLICY**  
Residential Medium-High (RMH)

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

Area 5G Policy

“This area includes the Brentridge, Timberlake and Saxony apartments with densities ranging from 9 to 15 units per acre. [I]n addition to the standard RMH policies, the following guideline applies to development



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### POLICY CONFLICT

in this area: *For the portion of this area with primary access from Tusculum and Benzing Roads, developments should be at the lower-end of the density range.*”

No. The property is located at Tusculum and Benzing Road. RM9 zoning would allow 9 units per acre or a maximum of 40 total units. The subarea plan indicates a desired density limit of 9 units per acre.

### RECENT REZONINGS

None.

### TRAFFIC

Based on typical uses in the RM9 district, approximately 265 vehicle trips per day could be generated. (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996.) Other uses at different densities could generate more or less traffic.

### TRAFFIC ENGINEER'S COMMENTS

“With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.”

Public works has further noted that the proposed zoning is relatively small and that no current traffic counts are available for the intersection of Benzing Road and Tusculum Road. Visual observations of the intersection, however, indicate that Old Benzing Road is a low-volume residential street connection with Tusculum Road and that the current level of service appears acceptable.

Public Works representatives have stated they were unable to give specific recommendations without a final site development plan and possibly a Traffic Impact Study. It was indicated to staff, however, that Public Works may require the following with development of this property:

1. Access on [Old] Benzing Road as far from the intersection with Tusculum Road as possible;
2. Dedication of right-of-way to at least 50-feet, if not already existing on either street;



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3. Improvements to the alignment of [Old] Benzing Road and Tusculum Road; and
4. Improvements to the cross-section of [Old] Benzing Road along the property's frontage on that road.

### METRO NASHVILLE PUBLIC SCHOOLS REPORT

**SCHOOLS (Projected new students) 3\_\_Elementary 2\_\_Middle 2\_\_High**

#### **Schools Over/Under Capacity**

Students would attend Cole Elementary, Antioch Middle School and Antioch High School. All three have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

#### **Fiscal Liability**

The Metro School Board reports that due to the overcrowded condition of the schools impacted by this proposed rezoning, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$94,000 for additional school capacity in this cluster.

#### **Planned School Capital Improvements:**

<b>Location</b>	<b>Project</b>	<b>Projected Date</b>
Cole Elementary	Renovation	FY07-08
Antioch Cluster	Construct a new middle school for 800 students on a new site in Southeast Davidson County	FY03-04



**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**  
**Deferral**

[Zone Change 2003Z-126G-06](#)  
None  
None  
35 – Tygard  
9- Christina Norris  
Richard D. Jones, applicant, Betty French, owner  
Deferred from the December 11, 2003, Commission meeting

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

Harris  
*Approve with conditions*

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**APPLICANT REQUEST**

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

**Existing Zoning**  
RS40 district

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

**Proposed Zoning**  
OL district

Office Limited is intended for moderate intensity office uses.

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**BELLEVUE COMMUNITY PLAN POLICY**

Natural Conservation Overlay

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

Office Transition

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



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### Policy Conflict

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

### RECENT REZONINGS

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

### TRAFFIC

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

### Public Works' Recommendations

Request zone change from RS40 to OL

#### Current zoning

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

#### Proposed zoning

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

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

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

Traffic received a supplement to the previous TIS, dated Oct. 2003 and revised Nov 2003. This TIS supplement was submitted by letter dated Jan. 23, 2004 and received on Feb. 5, 2004 by Traffic. Additional information was provided by e-mail on Feb. 10, 2004.

The Old Harding /Hwy 100 intersection was re-evaluated using new traffic counts. The accuracy of the counts was supported by TDOT station counts. The



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LOS was acceptable and no improvements shall be required at this intersection.

Traffic has prepared the following conditions for approval of these zone changes.

1. Extend the existing left turn lane (12 ft wide) on Hwy 100 from the Collins Rd intersection to the westernmost site access joint access driveway. Install required transition per AASHTO. Lane shall be marked as 2-way left turn.

2. Dedicate 1/2 of ROW along HWY 100 frontage as required for street classification of U4 (84' ROW) per TDOT's APR plans. Adjacent western property shall also dedicate such ROW along its Hwy 100 property frontage.

3. Two site driveways shall be installed with 1 entering lane and 2 exiting lanes. Driveway widths shall not exceed 35 ft.

One drive shall be installed opposite the barn theater drive and the other drive shall be a joint access drive with adjacent western property. Adequate sight distance shall be provided.

4. The driveway opposite the Barn Theater shall be signalized if warrants are justified at completion of property development. Developer shall conduct traffic counts and submit warrant analysis to Metro Traffic Engineer for approval.

Signal shall be bonded. Signal design shall provide video detection equipment for site traffic movements. Pedestrian facilities shall also be installed.

5. No access to Moss road shall be allowed.

6. Since Hwy 100 is a state facility, Hwy 100 improvements shall be submitted to TDOT for their approval.

### Planned Roadway Capital Improvements:

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





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### CONDITIONS

1. All access to be from Highway 100. No access from Moss Road.
2. Prior to the issuance of any temporary or final use and occupancy permits, the Public Works conditions listed above must be completed.



**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**  
**Deferral**

[Zone Change 2003Z-127G-06](#)  
None  
None  
35 – Tygard  
9- Christina Norris  
Richard D. Jones, applicant, Betty French, owner  
Deferred from the December 11, 2003, Commission Meeting

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

Harris  
*Approve with conditions*

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**APPLICANT REQUEST**

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

**Existing Zoning**  
RS40 district

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

**Proposed Zoning**  
CL district

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

OL district

Office Limited is intended for moderate intensity office uses.

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**BELLEVUE COMMUNITY PLAN POLICY**

Community Center

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

Office Transition

OT policy is intended for small offices intended to serve as a transition between lower and higher intensity uses where there are no suitable natural features that can be used as buffers. Generally, transitional offices



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### Policy Conflict

are used between residential and commercial areas. The predominant land use in OT areas is low-rise, low intensity offices.

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

### RECENT REZONINGS

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

### TRAFFIC

Based on the trip generation numbers for 5.0 acres of commercial limited (CL), this proposal will generate approximately 5315 daily trips for a specialty retail center. Based on the trip generation numbers for 3.42 acres of office limited (OL), this proposal will generate approximately 1230 daily trips for a general office building (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic.

### Public Works' Recommendations

Request zone change from RS40 to CL and OL.

#### Current zoning

RS40, Peak Hour Adj. Street Traffic (Code 210)  
**AM trips = 6                      PM trips = 8**

#### Proposed zoning

50% planned to be CL, 50% planned to be OL  
CL, Peak Hour Adj. Street Traffic (Code 832)  
**AM trips = 1020                  PM trips = 1195**

OL, Peak Hour Traffic (Code 710)  
**AM trips = 85                      PM trips = 110**

Total trips  
**AM trips = 1105                  PM trips = 1305**

The number of trips increases significantly with this zone change. To ensure the maintenance of an acceptable Level of Service and to retain safe and



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efficient traffic flow, a TIS should be required to determine any problem areas that may occur due to this change and steps that will be taken to correct those problems.

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

Traffic received a supplement to the previous TIS, dated Oct. 2003 and revised Nov 2003. This TIS supplement was submitted by letter dated Jan. 23, 2004, and received on Feb. 5, 2004, by Traffic. Additional information was provided by e-mail on Feb. 10, 2004.

The Old Harding /Hwy 100 intersection was re-evaluated using new traffic counts. The accuracy of the counts was supported by TDOT station counts. The LOS was acceptable and no improvements shall be required at this intersection.

Traffic has prepared the following conditions for approval of these zone changes.

1. Extend the existing left turn lane (12 ft wide) on Hwy 100 from the Collins Rd intersection to the westernmost site access joint access driveway. Install required transition per AASHTO. Lane shall be marked as 2-way left turn.
2. Dedicate 1/2 of ROW along HWY 100 frontage as required for street classification of U4 (84' ROW) per TDOT's APR plans. Adjacent western property shall also dedicate such ROW along its Hwy 100 property frontage.
3. Two site driveways shall be installed with 1 entering lane and 2 exiting lanes. Driveway widths shall not exceed 35 ft.

One drive shall be installed opposite the barn theater drive and the other drive shall be a joint access drive with adjacent western property. Adequate sight distance shall be provided.

4. The driveway opposite the Barn Theater shall be signaled if warrants are justified at completion of property development. Developer shall conduct traffic counts and submit warrant analysis to Metro Traffic Engineer for approval.



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Signal shall be bonded. Signal design shall provide video detection equipment for site traffic movements. Pedestrian facilities shall also be installed.

5. No access to Moss road shall be allowed.

6. Since Hwy 100 is a state facility, Hwy 100 improvements shall be submitted to TDOT for their approval.

### **Planned Roadway Capital Improvements:**

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

### **CONDITIONS**

1. All access to be from Highway 100. No access from Moss Road.
2. Prior to the issuance of any temporary or final use and occupancy permits, the Public Works conditions listed above must be completed.



**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**  
**Deferral**

**Zone Change 2003Z-148G-06**  
None  
None  
35 – Tygard  
9 – Christina Norris  
Wallace E. Johnson, applicant/owner  
Deferred from the December 11, 2003, Planning Commission meeting.

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

Harris  
*Disapprove*

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**APPLICANT REQUEST**

**Rezone 6.87 acres from residential (R40) to commercial service (CS) district property at 5731 River Road, River Road (unnumbered) and Charlotte Pike (unnumbered).**

**Existing Zoning**  
R40 district

R40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots.

**Proposed Zoning**  
CS district

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

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**BELLEVUE COMMUNITY PLAN POLICY**

Residential Low Medium (RLM)

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

**Policy Conflict**

Yes. The proposed zoning district (CS) is not consistent with the RLM policy calling for residential development at a density of two to four dwelling units per acre. This rezoning would be too intense and would expand commercial uses into an established residential area. The rezoning would extend commercial zoning 800-feet into the residential policy area.



## Metro Planning Commission Meeting of 2/26/04

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### RECENT REZONINGS

A portion of parcel 043 was rezoned from R40 to CS in July 2002. Planning Commission recommended approval in May 2002.

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### TRAFFIC

The proposed development can be expected to generate between 1,976 vehicle trips per day for general office uses and 7,706 vehicle trips per day for shopping center uses. (Institute of Transportation Engineers, Trip Generation, 6<sup>th</sup> Edition, 1996.) Other uses at different densities could generate more or less traffic.

---

### METRO PUBLIC WORKS FINDINGS

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

The applicant was informed that a TIS was required by Public Works. A TIS has not been submitted.

### Current zoning

R40, Peak adjacent street traffic (ITE Code: 210)  
**AM Trips = 15**                      **PM Trips =11**

### Proposed zoning

CS, Peak adjacent street traffic (ITE Code: 820)  
**AM Trips = 185**                      **PM Trips = 672**



**Project No.**

**Project Name**

**Associated Cases**

**Council District**

**School Board District**

**Requested By**

**Deferral**

**Subdivision 2003S-301G-03**

**Schott Subdivision**

None

31 – Toler

2 – George Blue, Jr.

Kenneth and Linda Schott

This item was deferred due to a lack of a quorum at the end of the February 12, 2004, Planning Commission meeting.

**Staff Reviewer**

**Staff Recommendation**

Fuller

*Disapprove*

---

**APPLICANT REQUEST**

Preliminary Plat

Request to subdivide 2 lots on 6.52 acres into 3 lots. There is one existing home on the property that will remain on lot 2. The property is located on Redmond Court, approximately 440 feet east of Redmond Lane.

---

**ZONING**

AR2a district

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

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**SUBDIVISION DETAILS**

This proposal does not contain sufficient property in Davidson County to meet zoning requirements. The rear portion of the property (2.12) acres lies within Williamson County. This means that land outside of the boundaries of Davidson County is being used to meet the 2-acre minimum lot size required by AR2a zoning. If the Planning Commission approves this application, the applicant must obtain written approval from the City of Brentwood prior to the recordation of the subdivision plat. The Metro Zoning Administrator has indicated that the Williamson County property can be used to satisfy the lot size requirement.

**Lot Dimensions (Sub. Regs. 2-4.2)**

This plat proposes three irregularly shaped lots. The Subdivision Regulations require that side lot lines be at





## Metro Planning Commission Meeting of 2/26/04

right angles to street lines unless a variation from this rule will result in a better street or lot plan. It appears that the reason for the irregular lot lines is to keep the existing driveway and home on one lot and still have two acres for each of the other two lots. There are not any topographic features that would necessitate the irregular shape of the lots. Although these lots are in an agricultural zone district, the proposed lots are not consistent with the original plat for the area. The original plat intended for Redmond Court to have a more uniform lot layout and street character, much like many of the surrounding subdivisions. The one exception is the common boundary between Parcel 18000003000 and 18000003300, which follows a creek bed.

The area of the three proposed lots is not consistent with the established character of Redmond Court. A strict lot comparability test was not applied because lot comparability is not a technical requirement under the Regulations for lots zoned agricultural. Since Redmond Court is established, staff felt that the area of the existing parcels should weigh heavily in the review of the three lots. Below is chart of the size of the other properties on Redmond Court:

Parcel ID	Acres
18000003300	2.33
18000006700	2.60
18000006300	2.96
18000006100	3.00
18000007100	3.01
18000004000	3.09
18000004300	3.11
18000003600	4.02
18000007000	5.00
18000003000	6.65
18000004400	7.10
18000006000	7.90
Average Area	4.23

As seen by the chart above, the proposed lots would all be approximately 2 acres short of the average.

No exceptions taken.

**PUBLIC WORKS**



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### **STORMWATER**

The applicant submitted a request for an appeal to the Stormwater Management Board to be relieved of grading plan requirements. The appeal granted will allow the grading plans to be postponed until the time of building permit application. The appeal, 2004-12, would need to be referenced on the plat prior to recording. Further, there is no basis for a variance from the requirement that side lot lines be at right angles to the street.

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### **STAFF RECOMMENDATION**

Staff recommends disapproval of these lots because the size and lot layout are not in keeping with the character of Redmond Court.

[VIEW SKETCH](#)



**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

[Zone Change 2004Z-029G-14](#)  
None  
None  
14 – White  
4 – Kathy Nevill  
John D. McCormick, applicant, Milton C. Wright,  
owner

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

Harris  
*Deferral. Staff recommends deferral to allow more time for the Subarea 14 Plan to be finalized.*

---

**APPLICANT REQUEST**

**Rezone 1.28 acres from residential single-family (RS10) to commercial service (CS) district property at 3746 Central Pike.**

**Existing Zoning**  
RS10 district

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

**Proposed Zoning**  
CS district

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

---

**SUBAREA 14 PLAN POLICY**

Residential Medium  
(RM)

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

**Policy Conflict**

Yes. The proposed zoning district (CS) is not consistent with the RM policy calling for residential development at a density of four to nine dwelling units per acre. This area has seen some new development in recent years with a new police station and library across from the site. There is also some commercial development at the intersection of Central Pike and Dodson Chapel. Central Pike is also expected to be widened to five lanes, however, CS would be too intense for this site at this time. If Central Pike is



## Metro Planning Commission Meeting of 2/26/04

widened, commercial uses and medium to high density residential uses may be appropriate. If approved, this zone change should be conditioned to include Metro Public Works recommendation that access should be as far as possible from the intersection of Central Pike and Dodson Chapel Road.

### RECENT REZONINGS

None.

### TRAFFIC

#### Public Works Recommendation

With submittal of Final Development Plan and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations. Access should be located as far from the intersection of Central Pike and Dodson Chapel Lane as possible.

#### Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Units per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	1.28	3.7	5	65	13	8

#### Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	1.28	0.198	11,040	245	33	20

#### Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+180	+20	+12

#### Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Units per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	1.28	3.7	5	65	13	8

#### Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	1.28	0.6	33,454	24689	2188	1798

#### Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District



## Metro Planning Commission Meeting of 2/26/04

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	---	+24270	+2132	+1765

**Planned Roadway Capital Improvements:**

Location	Project	Funding	Projected Date
CENTRAL PIKE— COMBINED IMPROVEMENTS	CENTRAL PIKE LEBANON PIKE (STATE ROUTE 24) TO INTERSTATE 40 CONNECTOR, ENGINEERING, RIGHT-OF-WAY, RECONSTRUCT AND WIDEN, INCLUDES BRIDGE OVER STONER CREEK	FEDERAL FUNDS, PROPOSED AND APPROVED G.O. BONDS, AND MISCELLANEOUS FUNDS	FY03-04 TO FY 05-06
CENTRAL PIKE	CENTRAL PIKE - SR 45 TO WILSON COUNTY LINE (SR 265)	STATE AND FEDERAL FUNDS	FY06-07 TO FY08-09



**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

[Zone Change 2004Z-030U-11](#)  
None  
None  
16 – McClendon  
7 – Edward T. Kindall  
Wanda Barker, Five Star Realty, for Inez P. Silverfield, owner

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

Harris  
*Approve with conditions, including no direct access to Hester Avenue, but disapprove if the Metro Council Bill permits direct access to Hester Avenue.*

---

**APPLICANT REQUEST**

**Existing Zoning**  
R6 district

**Rezone 0.18 acres from residential (R6) to commercial service (CS) district property at Hester Avenue (unnumbered).**

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

**Proposed Zoning**  
CS district

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

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**SUBAREA 11 PLAN POLICY**

Residential Medium (RM)

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

**Policy Conflict**

The proposed zoning district (CS) is not consistent with the RM policy calling for residential development, however, CS and OR20 districts surround the property. There is a fast food restaurant adjacent to this site and an unbuilt commercial PUD approved for a hotel to the north. Staff recommends that parcels 081 and 044 be consolidated to allow access from Nolensville Pike. No access should be allowed from Hester Avenue which is a residential street and leads to an established



## Metro Planning Commission Meeting of 2/26/04

residential neighborhood. This zoning district should not extend further east into the residential neighborhood.

### RECENT REZONINGS

None.

### TRAFFIC

#### Public Works Recommendation

With submittal of Final Development Plan and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.

#### Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.18	6.18	1	15	11	2

#### Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.18	0.263	2,062	23	4	3

#### Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+8	-7	+1

#### Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.18	6.18	1	15	11	2

#### Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	0.18	.6	4,704	3472	308	253

#### Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+3457	+297	+251



## Metro Planning Commission Meeting of 2/26/04

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### CONDITIONS

1. No direct access to Hester Avenue.





**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

[Zone Change 2004Z-031U-14](#)  
None  
None  
15 – Loring  
4 – Kathy Nevill  
Eugene W. Ward, applicant, Metro Government, NES  
Power Board, owner

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

Harris  
*Approve with conditions.*

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**APPLICANT REQUEST**

**Rezone 0.05 acres from residential multi-family (RM20) to commercial limited (CL) district property at Elm Hill Pike (unnumbered).**

**Existing Zoning**  
RM20 district

RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

**Proposed Zoning**  
CL district

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

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**SUBAREA 14 PLAN POLICY**

Commercial Arterial Existing (CAE)

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

**Policy Conflict**

No. The proposed zoning district (CL) is consistent with the CAE policy in that it stabilizes the current condition. It is also consistent with the surrounding zoning pattern. This parcel is surrounded by CL zoning and CS zoning across the street. This property has direct access to Elm Hill Pike, which is designated as an urban arterial.



## Metro Planning Commission Meeting of 2/26/04

### RECENT REZONINGS

Parcels 044 and 006 were rezoned to the north from CL to CS in January 2001. Planning Commission recommended disapproval in December 2000. Parcels 008, 009, 010 to the east were also rezoned in January 2001 and Planning Commission recommended approval in November 2000.

### TRAFFIC

#### Public Works Recommendation:

No exception taken. Request ROW for continuous alignment on Elm Hill Pike.

#### Typical Uses in Existing Zoning District: RM20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Low Rise Residential Condo (231)	.05	20	1	--	14	17

#### Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	.05	.172	375	18	7	9

#### Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	-7	-8

#### Maximum Uses in Existing Zoning District: RM20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Low Rise Residential Condo (231)	.05	20	1	--	14	17

#### Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	.05	0.6	1,307	964	86	71

#### Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+72	+54



## Metro Planning Commission Meeting of 2/26/04

### Planned Roadway Capital Improvements:

Location	Project	Funding	Projected Date
ELM HILL PIKE	ELM HILL PIKE AND SPENCE LANE IMPROVEMENTS ROW- ENGINEERING- CONSTRUCT	FEDERAL FUNDS AND APPROVED G.O. BONDS	FY03-04

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### CONDITIONS

1. Prior to the issuance of any use and occupancy permits, right-of-way requested by Metro Public Works for continuous alignment on Elm Hill Pike shall be provided.



<b>Project No.</b>	<a href="#"><u>Zone Change 2004Z-033G-06</u></a>
<b>Associated Case</b>	None
<b>Council Bill</b>	None
<b>Council District</b>	35 – Tygard
<b>School Board District</b>	9 - Christina Norris
<b>Requested by</b>	Jacky Allen, for Frank and Connie Mayo, owners.
<b>Staff Reviewer</b>	Harris
<b>Staff Recommendation</b>	<i>Disapprove</i>

**APPLICANT REQUEST**

**Rezone 7.3 acres from residential single-family (RS80) to commercial service (CS) district property at 7118 Charlotte Pike.**

**Existing Zoning**  
RS80 district

RS80 requires a minimum 80,000 square foot lot and is intended for single-family dwellings at a density of .46 dwelling units per acre.

**Proposed Zoning**  
CS district

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

**BELLEVUE COMMUNITY PLAN POLICY**

Residential Low Medium (RLM)

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

Natural Conservation (NCO)

NCO is intended for mostly undeveloped areas characterized by the widespread presence of steeply sloping terrain, unstable soils, floodplains or other environmental features that are constraints to development at urban or suburban intensities. NCO areas are intended to be rural in character, with very low intensity development. NCO policy should be applied to large areas that are generally unsuitable for urbanization due to the presence of extensive amounts of land with unstable soils, 20%+ slopes or other



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physical features that are severe constraints to urban development. Due to their environmentally sensitive character, NCO areas are generally unsuitable for conventional suburban or urban development. The predominant types of land use anticipated in these areas are very low intensity residential, commercial (convenience scale) and community facility developments. Examples of low intensity, non-residential development include convenience retail, athletic fields, and hiking trails. Agricultural uses are also found in NCO areas. Specific residential densities in NCO areas should be determined by physical site characteristics and the availability of services, particularly sewers. In general, the more environmentally sensitive or remote a site is, the lower the acceptable density. In general, densities should not exceed one dwelling unit per two acres.

### Policy Conflict

Yes. The proposed CS district is not consistent with the RLM or NCO policies. This site is mostly characterized by steep hillsides in which the NCO policy is applied calling for one dwelling unit per two acres. The RLM policy area is concentrated along the west portion of the property closest to River Road, which calls for residential development at a density of two to four dwelling units per acre. CS zoning would be too intense and would expand commercial uses into an established residential area. If approved, access should not be permitted through the RLM policy area.

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### RECENT REZONINGS

A portion of parcel 043 was rezoned from R40 to CS in July 2002. Planning Commission recommended approval in May 2002. Parcel 43 falls within the current CMC policy.

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### TRAFFIC

#### Public Works Recommendation

With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.



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### Typical Uses in Existing Zoning District: RS80

Land Use (ITE Code)	Acres	Units per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	7.3	0.46	3	42	12	5

### Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	7.3	0.066	20,987	901	22	79

### Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			--	+859	+10	+74

### Maximum Uses in Existing Zoning District: RS80

Land Use (ITE Code)	Acres	Units per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	7.3	0.46	3	42	12	5

### Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	7.3	0.6	190,792	8189	197	714

### Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	--	--	--	+7998	+132	+627



<b>Project No.</b>	<u><a href="#">Zone Change 2004Z-035U-08</a></u>
<b>Associated Case</b>	None
<b>Council Bill</b>	None
<b>Council District</b>	21 – Whitmore
<b>School Board District</b>	1-George H. Thompson III
<b>Requested By</b>	Mitchell L. Pollard of Banneker Homes, LLC, applicant, for Deborah Perrin & Shirley Fuller, owners
<b>Staff Reviewer</b>	Mitchell
<b>Staff Recommendation</b>	<i>Approve</i>

**APPLICANT REQUEST**

**Rezone approximately 0.26 acres from commercial neighborhood (CN) to residential single-family and duplex (R6) district property located at 915 40<sup>th</sup> Avenue North, approximately 300 feet south of Albion Street.**

**Existing Zoning**  
CN district

Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses, which provide for the recurring shopping needs of nearby residential areas.

**Proposed Zoning**  
R6 district

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

**NORTH NASHVILLE  
COMMUNITY PLAN POLICY**  
Neighborhood General (NG)  
Within the Tomorrow’s Hope  
Detailed Neighborhood Plan

“Most of the remainder of College Heights / Clifton and Tomorrow’s Hope is primarily lower intensity residential in character; this plan envisions the character to remain as such. This Neighborhood General area does, however, encourage an appropriate balance of housing types.” The Detailed Neighborhood Design Plan (DNDP) calls for Single-Family Attached or Detached Housing. “This category includes a mixture of single-family housing that varies based on the size of the lot and building placement on the lot. Detached houses are single units on a single lot. Attached houses



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are single units that are attached to other single-family houses (e.g. townhouses).”

This parcel, parcel 288, is one of three parcels that are specifically called out in the DNDP as being “nonconforming existing uses and/or zoning.”

### Policy Conflict

No. The proposed zoning request is consistent with the NG land use policy and the Detailed Neighborhood Design Plan. The requested rezoning is supported and recommended to bring the lot back into conformity with the adopted land use plan.

### Recommended Actions

“Important for all neighborhoods is an attention to design for new and rehabilitated structures. The detail drawings and accompanying Building Typology diagrams in the Subarea 8 document serve as guidelines for handling appropriate new construction in these neighborhoods.” As part of the Tomorrow’s Hope DNDP, the following actions need to be recognized and implemented as part of any redevelopment of this subject site: 1) Construct new sidewalks and reconstruct dilapidated ones along the west side of 40<sup>th</sup> Avenue, North.

---

### RECENT REZONINGS

No

### TRAFFIC

#### Public Works Recommendation

No exception taken.

#### Typical Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.26	0.168	1,903	78	13	10

#### Typical Uses in Proposed Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.26	6.18	2	80	15	9

#### Change in Traffic between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+2	+2	-1

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### Maximum Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.26	0.25	2,831	32	5	5

### Maximum Uses in Proposed Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.26	6.18	2	80	15	9

### Change in Traffic between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+48	+10	+4

## SCHOOLS

**1 Elementary   1 Middle   1 High**

### Schools Over / Under Capacity

Students would attend Cockrill Elementary, Bass Middle, and Pearl-Cohn High School. Cockrill Elementary and Bass Middle have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

### Fiscal Liability

The Metro School Board reports that due to the overcrowded condition of the schools possibly impacted by this proposed rezoning, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$25,000.00 for additional school capacity in this cluster.



**Project No.**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School District**  
**Requested by**

[Zone Change 2004Z-034U-13](#)  
None  
None  
28 - Alexander  
6 - Mebenin Awipi  
MEC, Inc. for Frances Ransom, et al, and Karen Ransom Bennett, owners.

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

Leeman  
*Approve*

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**APPLICANT REQUEST**

**Rezone 6.03 acres from shopping center community (SCC) to mixed use limited (MUL) district property at Murfreesboro Pike (unnumbered), at the northwest corner of Murfreesboro Pike and Ransom Place.**

**Existing Zoning**  
SCC district

Shopping Center Community is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area.

**Proposed Zoning**  
MUL district

Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

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**ANTIOCH-PRIEST LAKE  
COMMUNITY PLAN POLICY**

Retail Concentration  
Super Community (RCS)

Super community scale concentrations serve essentially the same function as community scale concentrations but are generally larger in size and provide a wider array of goods and services. Typical RCS uses include retail shops, consumer services, restaurants, and entertainment. In RCS areas that are located at highway interchanges, a limited amount of uses intended to serve travelers is also appropriate. In addition, super community scale retail concentrations usually contain large, single, specialized retail stores, which draw people from a wider market area.

**Policy Conflict**

No. The proposed MUL district is consistent with the Antioch-Priest Lake Subarea Plan. The MUL district will provide an opportunity for commercial and office development near the Murfreesboro Pike commercial corridor, while it will also provide the opportunity for a



## Metro Planning Commission Meeting of 2/26/04

residential transition between the commercial development and the single-family development already existing. Because this is a sensitive location, mixed use zoning is appropriate to help provide a transition.

### RECENT REZONINGS

Yes. This property was rezoned from AR2a, R15, and RS10 districts to SCC district in 2000 (Council Bill BL2000-306).

### TRAFFIC Public Works Recommendation

With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations. Must use existing access to Ransom Place. No new drive to Ransom Place.

#### Typical Uses in Existing Zoning District: SCC

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Fast-Food Restaurants w/ Drive-Thru (834)	6.03	0.024	6,304	3128	315	211

#### Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station w/ Convenience Market (845)	6.03	0.058	15,235	2480	154	204

#### Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	+8,931	-648	-161	-7

#### Maximum Uses in Existing Zoning District: SCC

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.03	0.50	131,333	5637	136	492

#### Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.03	1.0	262,667	11274	271	983

#### Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District



## Metro Planning Commission Meeting of 2/26/04

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+5637	+135	+492

**Planned Road Capital Improvements:** None

### SCHOOLS

**14 Elementary   10 Middle   8 High**

#### Schools Over/Under Capacity

Students would attend Una Elementary, Apollo Middle School and Antioch High School. All three schools have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

\*The numbers for MUL zoning are based upon students that would be generated if the MUL zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,300 sq. ft. of floor area.

#### Fiscal Liability

The Metro School Board reports that due to the overcrowded conditions of the schools impacted by this proposed rezoning, approval of the rezoning and the development permitted by the rezoning could, if the property is developed for residential uses, generate a capital need liability of approximately \$426,000 for additional school capacity in this cluster.



**Project No.**  
**Project Name**  
**Associated Cases**  
**Council District**  
**School District**  
**Requested By**

[Subdivision 2004S-050G-04](#)  
**Rothwood Place**  
None  
4- Craddock  
3- Pam Garrett  
James Dillard, owner, and Dale and Associates,  
Surveyor.

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

Leeman  
*Approve with conditions*

**APPLICANT REQUEST**  
**Preliminary Plat**

Subdivide 1.2 acres into 4 lots along the south side of Rothwood Avenue, at the southern terminus of Neelys Chase Drive.

**ZONING**  
**RS10 District**

RS10 district, requiring a minimum lot size of 10,000 square feet and intended for single-family dwellings at an overall density of 3.71 dwelling units per acre.

**SUBDIVISION DETAILS**

This plat meets lot comparability for lot frontage and area and is consistent with the Subarea 4 Plan’s land use policy for the area. Proposed lot sizes range from 10,800 square feet to 16,100 square feet, which is larger than the surrounding lots on Rothwood that are within a Residential Planned Unit Development.

Sidewalks are not required along Idlewild Drive since there are two existing homes that face this street, while approximately 220 feet of sidewalks are proposed along Rothwood Avenue. This sidewalk will tie into the existing sidewalk along Rothwood.

**STORMWATER**

A Stormwater appeal was made by the applicant to allow the subdivision to place a drainage filter swale in a 10 foot easement within lots 1 and 3. A variance from the Metro Stormwater Committee is required since this drainage feature is not proposed within common open space. Staff recommends approval subject to the Stormwater Committee’s approval of this appeal.

**TRAFFIC ENGINEER’S FINDINGS**

No exception taken.



## Metro Planning Commission Meeting of 2/26/04

### CONDITIONS

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

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. NES approval shall be submitted prior to final plat recordation.
3. Prior to final plat approval, the plat must be revised to either place the proposed drainage filter swale into common open space, or the Metro Stormwater Committee must approve a variance.

[VIEW SKETCH](#)



**Project No.**  
**Project Name**  
**Associated Cases**  
**Council District**  
**School Board District**  
**Requested by**

**Subdivision 2004S-055G-12**  
**Addition to Indian Creek**  
None  
31 – Toler  
2 – George Blue, Jr.  
Hurley-Y, owner

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

Fuller  
*Approve with conditions*

**APPLICANT REQUEST**  
Preliminary Plat

Subdivide 60.54 acres into a 188-lot cluster lot subdivision, at a proposed density of 3.1 dwelling units per acre.

This proposal replaces Addition to Indian Creek, 2002S-329G-12 and Second Addition to Indian Creek, 2003S-046G-12. These subdivisions were approved collectively for 197 lots.

**ZONING**  
RS10

RS10 district requiring minimum lot size of 10,000 square feet.

**CLUSTER LOT OPTION**

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots). The proposed lots range in size from 5,503 square feet to 11,150 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant complies with this requirement by proposing a total of 9.08 acres (36.9%) of open space – which exceeds the minimum open space acreage required.

**SUBDIVISION DETAILS**

This revision is necessary since the Metro Stormwater Committee did not approve a variance request to allow disturbance of the floodway buffer for the purpose of stormwater detention. The applicant is shifting the proposed development further away from the protected floodway buffer to comply with the Stormwater Committee action.



## Metro Planning Commission Meeting of 2/26/04

### Critical Lots

This particular property is within the Mill Creek floodplain. There are 3 lots in this subdivision designated as critical lots due to flood plain. This proposal preserves more floodplain than the previously approved plats.

### Greenway Easement

The developer will dedicate the Mill Creek floodway on the property as a conservation/greenway public access trail easement area for the future Mill Creek greenway.

### Access

The access to this subdivision will be through future phases of Indian Creek Subdivision and Addition to Indian Creek to the east and Autumn Oaks Subdivision to the west. The streets in these subdivisions have not been platted to the boundary of this property. The development of this subdivision will be dependent on the platting of those streets.

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### PUBLIC WORKS

Public Works approves this development with the following conditions:

1. Compliance with the previous conditions including no connection to Culbertson Road.
2. The developer shall install the left turn lane on Old Hickory Boulevard at Broken Bow Drive prior to the first use and occupancy permit if the Indian Creek Estates developer has not installed the left turn lane by that date. The left turn lane shall have 150 ft storage with transition per AASHTO standards. Therefore, developer will need to extend the left turn from 75 ft to 150 ft, if adjacent developer has constructed it, or developer shall install the left turn with 150ft storage.
3. Approval is subject to construction plan approval.

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### CONDITIONS

1. There will be no access to Culbertson Road.
2. The developer will dedicate the Mill Creek floodway on the property as a public open space/conservation easement for the future Mill Creek greenway.





## Metro Planning Commission Meeting of 2/26/04

3. The developer shall install the left turn lane on Old Hickory Boulevard at Broken Bow Drive prior to the first use and occupancy permit if the Indian Creek Estates developer has not installed the left turn lane by that date. The left turn lane shall have 150 ft storage with transition per AASHTO standards. Therefore, developer will need to extend the left turn from 75 ft to 150 ft, if adjacent developer has constructed it, or developer shall install the left turn with 150ft storage.

[VIEW SKETCH](#)



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

[Planned Unit Development 88P-009G-12](#)

**Autumn Oaks Residential PUD**

**Phase 8**

**Council Bill**  
**Associated Case**  
**Council District**  
**School Board District**  
**Requested By**

None  
None  
31 – Toler  
2-George R. Blue, Jr.  
Wamble & Associates, PLLC, applicant for Autumn Oaks, LLC, owner

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

Mitchell  
*Approve with conditions*

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**APPLICANT REQUEST**  
**Final PUD**

Permit the development of 36 single-family lots on the 9.37-acre phase 8 of the Autumn Oaks Residential Planned Unit Development. This phase is an extension of Autumn Crossing Way, Oakfield Grove, and Oakfield Way. The entire PUD is located along the east side of Nolensville Pike, approximately one-half mile south of Culbertson Road.

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**PLAN DETAILS**

This request for final PUD approval for phase 8 is consistent with the revision to preliminary that was heard, and approved, by the Planning Commission on September 26, 2002. That plan revised phases 5 through 10 of the PUD by allowing 18 single-family lots in phase 5, replacing 14 single-family lots approved in 1988. The 9/26/02 plan also revised the layout of several phases in order to provide more street connectivity throughout the remainder of the development.

The overall revised preliminary plan includes 354 single-family lots—the same number approved on the original 1988 preliminary PUD plan.

Fourteen of the thirty-six lots will be designated as critical lots due to floodplain and will be reviewed and approved by Metro Water Services and the Planning Department prior to the issuance of any building permits. A final plat must be recorded and bonds must be posted for the construction of public sidewalks and other necessary public improvements.



## Metro Planning Commission Meeting of 2/26/04

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### TRAFFIC ENGINEER'S COMMENTS

The construction plans for a left turn lane on Nolensville Road at the site access road shall be submitted to Metro Public Works. Construction shall begin on the turn lane after approval of plans and completed in a timely manner and before approval of subsequent phases.

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### CONDITIONS

1. A minimum of 30% capacity shall be purchased, to receive the required Availability Letter, prior to the Planning Commission meeting on February 26, 2004.
2. Prior to the issuance of any building permits, construction plans for a left-turn lane on Nolensville Road, at the site access road, shall be submitted to Metro Public Works for review and approval. Construction shall begin on the turn lane after approval of plans and completed in a timely manner and before approval of subsequent phases.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
5. A final plat shall be recorded prior to the issuance of any building permits.

[VIEW SKETCH](#)



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Case**  
**Council District**  
**School Board District**  
**Requested By**

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

[Planned Unit Development 95P-019G-13](#)  
**Provincetown PUD**  
 None  
 BZA Appeal Case #2003-287  
 32 – Coleman  
 6 - Mebenin Awipi  
 Centex Homes, applicant and owner.

Mitchell  
*Approve*

**APPLICANT REQUEST**  
**Variance within a PUD**

Request for a variance to Section 17.32.080.B.4 (On-premises signs in residential districts) of the Metro Zoning Code to allow for the construction of a ground sign (18 feet by 6 feet tall) where the leading edge of the sign will be placed 0 feet behind the right-of-way line. The Code requires a minimum of 15 feet. The subject site is located along the east margin of Old Franklin Road, approximately .25 miles south of Mt. View Road, and is within the RM15 district.

The applicant has indicated the following reason for the proposed variance: “The [right-of-way] is 60 feet back from [the] property line. Adding [the required] 15 feet setback puts the entry monument 75 feet off of the curb. [This] creates poor location for visibility of the entry monument from people driving down the road.”

**PROPOSAL DETAILS**

Since this sign is located within a Planned Unit Development district, the Planning Commission will make a recommendation on the requested variance to the Board of Zoning Appeals (BZA). The BZA has jurisdiction over variance requests.

The applicant is proposing one 18-foot long, 6-foot tall, non-illuminated monument sign within the RM15 district. The proposed location is at the southeast corner of Old Franklin Road and Monroe Crossing Boulevard. This requested sign is the only ground sign proposed at this entrance to the development.

The Zoning Code states that the leading edge or face of the sign or any building or other structure to which the



## Metro Planning Commission Meeting of 2/26/04

sign is attached must be set back from the public right-of-way a minimum of fifteen feet.

Having reviewed the submitted site plan and application, staff recommends approval of the variance request for the following reason(s):

- The current edge of pavement is 60 feet from the newly-platted right-of-way / property line. The sign is not requested to be placed in any portion of the right-of-way and there would be no sight visibility issues with the proposed location of the leading edge of the sign.



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Case**  
**Council District**  
**School Board District**  
**Requested By**

**Planned Unit Development 95P-019G-13**

**Provincetown PUD**

None  
None  
32 – Coleman  
6 - Mebenin Awipi  
Wamble & Associates, PLLC, applicant for Centex Homes, owner.

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

Mitchell  
*Approve with conditions, as well as recommend approval of a request for a Stock Pile Area Plan that would allow temporary stockpiling on phase 3 for the continued construction of Phases 1 & 2.*

**APPLICANT REQUEST**  
**Revise Preliminary & Final PUD**

Request for revision to the preliminary Planned Unit Development and for final PUD approval for Phase 3 of the Provincetown PUD, which will allow for the development of 92 townhouse units, on a total of 9.69 acres. This phase will join Phases 1 and 2 via the proposed roundabout that is centrally located within the PUD. This phase is located in the south and southeast corner of the preliminary PUD plan.

**PUD PLAN DETAILS**

**History**  
**Phases 1 & 2**

On August 28, 2003, the Metro Planning Commission granted final PUD approval for Phases 1 & 2 of the Provincetown PUD. The final PUD request was consistent with the new preliminary PUD plan, which was amended in January of 2003. Phase 1 and Phase 2 each proposed 76 townhouse units, for a total of 152 units.

**Proposed Plan (Phase 3)**

This final PUD request varies from the newly-adopted preliminary PUD plan by proposing that Cedar Ash Crossing, Bridgeport Lane, and Ruddell Lane all dead-end into public open spaces, which all the townhouse units will face. The roadway connectivity originally provided on this south end of the PUD is still provided via a private access drive that contains all the parking for the units. The public right-of-way areas will end at the three public open space areas. This redesign



## Metro Planning Commission Meeting of 2/26/04

provides a linear vista from the boulevard (Monroe Crossing) down each side street and across the green open spaces. The request for final PUD approval proposes 92 townhouse units – all of which front Monroe Crossing, Wellesley Lane, or the three new public open spaces. This phase extends Monroe Crossing through the south end of the roundabout and will connect the easternmost section of the PUD to the existing Asheford Crossing subdivision.

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### TRAFFIC ENGINEER'S FINDINGS

All comments were adequately addressed by the applicant upon resubmittal.

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### CONDITIONS

1. Prior to the issuance of the last Use and Occupancy permit for Phase 2, the grading plan for phase 3 must be approved by Metro Stormwater Management division of Water Services and Metro Planning Commission so as to preclude permanent storage of the temporary stock pile area plan that is proposed on phase 3.
2. Since landscaping is proposed within the median of Monroe Crossing, curbing shall be provided so as to minimize erosion and damage to the median from vehicles.
3. All paired crossings shall be designed so as to allow all pedestrians to cross the street in front of a stopped vehicle.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.



## Metro Planning Commission Meeting of 2/26/04

6. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.
8. A final plat must be recorded before the issuance of any building permits.

[VIEW SKETCH](#)





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

[Planned Unit Development 2000P-003G-06](#)  
**Riverwalk Community Residential PUD**  
**Phase 3C & 3D**

**Council Bill**  
**Associated Case**  
**Council District**  
**School Board District**  
**Requested By**

None  
None  
35 – Tygard  
9 – Christina Norris  
Riverwalk Development Partners Inc., applicant and owner.

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

Mitchell  
*Approve with conditions*

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**APPLICANT REQUEST**  
**Final PUD**

Permit the development of 82 single-family lots (phases 3C & 3D) on approximately 35-acres of the 150.71-acre section of the Riverwalk Community residential PUD located north of the CSX railroad tracks and south of the Harpeth River. The entire 150-acre section of this PUD includes phases 2, 3, and 4.

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**PUD PLAN DETAILS**

**History**

On March 15, 2001, the Planning Commission approved a revision to the preliminary and final plan approval of Phase 1, which is the section of the PUD located south of the CSX railroad tracks and along Newsom Station Road.

On May 8, 2003, Phase 2 received final PUD approval following an amendment to the PUD, which added seven single-family lots to that phase. Although the plan was amended to add lots, the overall design did not significantly change. The previous final PUD approval for Phase 2 had been provided by the Metro Planning Commission in October of 2002.

On October 13, 2003, Phases 3A & 3B received final PUD approval. That request was for 47 single-family lots along the main perimeter road on the north side of the PUD.

**Proposed Plan**

The phase 3C & 3D plan proposes 82 single-family lots also along the main perimeter road of the northernmost area of the PUD as well as along the eastern perimeter.



## Metro Planning Commission Meeting of 2/26/04

These 82 lots will be located adjacent to the dedicated open space and proposed Greenway Trail – which runs along the riverside perimeter of the entire 150-acre northern portion of the PUD and adjacent to the Harpeth River.

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### TRAFFIC ENGINEER'S FINDINGS

The applicant adequately addressed all comments.

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### CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. 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.
4. 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.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested By**

**Mandatory Referral 2003M-122U-11**  
**Alley Closures: #1928 and #1929**  
None  
16 - McClendon  
Clyde P. Holland for various property owners

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

Reed  
*Approve*

**APPLICANT REQUEST**

A request to close Alley # 1928 and Alley # 1929, both unbuilt, located between Nolensville Road and Harrison Street, requested by Clyde P. Holland for various property owners.

**DEPARTMENT AND AGENCY COMMENTS**

Metro Water Services states that easement rights must be retained for an 8 inch and a 10 inch sewer line in alley # 1928. NES will retain all easement rights, if any, in both alleys.

No other responding departments or agencies take exception.

**RECOMMENDATION**

The following departments or agencies have reviewed this request and recommended approval: Emergency Communications Center, and Public Works



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

[Mandatory Referral 2004M-010U-13](#)  
**Property acquisition: Airport Extended Approach Area**

**Council Bill**  
**Council District**  
**Requested By**

none  
13 – Burch, 14- White, and 28 Alexander  
Council members White, Burch and Alexander

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

Reed  
*Approve*

**APPLICANT REQUEST**

An ordinance authorizing the acquisition of 32 parcels of land near the Metro Nashville Airport, for the purpose of acquiring property for the Metro Nashville Airport Authority Project Number 0371, Extended Approach Land Acquisition Project.

This proposal involves 32 properties, 28 of which are residential properties (17 rentals and 11 owner-occupied units) and 4 of which are vacant lots. Estimated total value of the properties to be acquired is \$2,300,000.

**DEPARTMENT AND AGENCY COMMENTS**

Metro Water Services states that easement rights must be retained for a force main, 24-inch sewer line, 8-inch sewer line and a 6-inch sewer line on various properties.

No other responding departments or agencies take exception.

**RECOMMENDATION**

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

[VIEW SKETCH 2](#)

[VIEW SKETCH 3](#)



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

[Mandatory Referral 2004M-011-07](#)  
**Easement Acquisition for Richland Creek  
Greenway**

**Council Bill**  
**Council District**  
**Staff Reviewer**

None  
24--Summers  
Harris

**Staff Recommendation**

*Approve with conditions*

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**APPLICANT REQUEST**

An Ordinance, drafted by the Department of Parks and Recreation, authorizing the Director of Public Property to accept and record easements in favor of the Metropolitan Government on land adjacent to Richland Creek, on the east margin on White Bridge Road, from near Harding Road to near Charlotte Avenue, for the use and benefit of the Greenway Commission for the Richland Creek Greenway.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY  
RECOMMENDATIONS**

This item is recommended for approval by the Emergency Communication Center, Nashville Electric Service, Metro Historical Commission, and Metro Public Works. Planning staff also supports the request.

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**CONDITION**

Metro Water & Sewerage Services recommends approval with the condition that easement rights be retained for 36", 42", and a 66" water main.



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

**Mandatory Referral 2004M-012U-10**  
**Underground encroachment, W. End at 23<sup>rd</sup> Ave. N.**

**Council Bill**  
**Council District**  
**Requested By**

None  
21 - Whitmore  
Civil Site Design Group for Pinnacle National Bank

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

Reed  
*Approve*

**APPLICANT REQUEST**

A request to encroach on the public right of way (alley # 382, parallel to West End) on a lot located at the northwest corner of West End Avenue and 23rd Avenue North, for underground encroachment of electrical power and supplies to Pinnacle National Bank, applicant.

Included in the encroachment are two 4-1/2” steel pneumatic tubes, ten 1”schedule 40 pvc conduit tubes, one 2” schedule 40 pvc conduit tube and a 2” irrigation sleeve.

**DEPARTMENT AND AGENCY COMMENTS**

No responding departments or agencies take exception.

**RECOMMENDATION**

The following departments or agencies have reviewed this request and recommended approval: Metro Public Works, Water Services, Emergency Communications Center, and NES.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested By**

[Mandatory Referral 2004M-013G-10](#)  
**Street Closure: Portion of Shamrock Drive**  
None  
34 - Williams  
Ragan-Smith Associates for Harpeth Hills Church of Christ

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

Reed  
*Approve with conditions*

**APPLICANT REQUEST**

A request for street closure of Shamrock Drive, from the west margin of Wildwood Valley Drive, for the purposes of control of de facto private access to church for cut-thru traffic and internal circulation improvements, submitted by Ragan-Smith Associates for Harpeth Hills Church of Christ.

**DEPARTMENT AND AGENCY COMMENTS**

Metro Water Services states that easement rights must be retained for a 6-inch water line and an 8-inch sewer line located within Shamrock Drive. NES must retain the easement distribution line in the Shamrock Drive R.O.W. Public Works recommends approval subject to approval by Brentwood of the area in their jurisdiction and consolidation of the lots. The Traffic and Parking Commission approved this recommendation.

No other responding departments or agencies take exception.

**RECOMMENDATION**

The Planning Department recommends approval subject to the following conditions:

1. Brentwood must approve the closure of that part of Shamrock Drive within its jurisdiction.
2. The portion of Shamrock Drive abutting parcel 16 shall be consolidated with Parcels 016, 032, 35, and 100 so as to avoid not land-locking any parcels. (All parcels are owned by Harpeth Hills Church of Christ).



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

**Mandatory Referral 2004M-014U-08**  
**Alley closure: 10<sup>th</sup> Avenue north of Monroe Street**

**Council Bill**  
**Council District**  
**Requested By**

None  
19 - Wallace  
Hopewell Missionary Baptist Church

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

Reed  
*Approve with conditions*

**APPLICANT REQUEST**

A request for closure of an alley located on the east margin of 10th Avenue North, approximately 80 feet north of Monroe Street, for purposes of allowing connection to properties owned by Hopewell Missionary Baptist Church, applicant.

Hopewell Missionary Baptist Church owns parcels 181, 182, and 736. House of Shepherds owns parcel 183.

**DEPARTMENT AND AGENCY COMMENTS**

NES shall retain all existing easements including access to maintain equipment. Any equipment relocation will be done at the expense of the applicant.

No other responding departments or agencies take exception.

**RECOMMENDATION**

The following departments or agencies have reviewed this request and recommended approval: Metro Public Works, Water Services, and Emergency Communications Center.

**CONDITIONS**

1. Prior to the issuance of any building permits, parcels 181, 182, and 736 must be consolidated.





<b>Project No.</b>	<u><a href="#">Subdivision 2003S-254G-13</a></u>
<b>Project Name</b>	<b>Hamilton Church Subdivision Rehearing</b>
<b>Associated Cases</b>	None
<b>Council District</b>	33 – Bradley
<b>School Board District</b>	6 – Mebenin Awipi
<b>Requested by</b>	Councilmember Bradley
<b>Staff Reviewer</b>	Fuller
<b>Staff Recommendation</b>	<i>Disapprove</i>

**Request**

Councilmember Bradley has requested that the Planning Commission rehear this subdivision to specifically revisit condition 3 below, the connection to Hamilton Church Road. He has proposed delaying the connection of this development to Hamilton Church Road until Hamilton Church Road is upgraded in its entirety.

**Previous Action**

At the December 11, 2003, meeting, the planning commission approved this application with the following conditions:

1. All Stormwater comments must be addressed and coordinated with Planning Staff prior to grading plan approval.
2. The new subdivision spine street shall, at a minimum, meet the Metro standard for a medium density local street (ST-252 on a 50' ROW).
3. The connection to Hamilton Church Road must be constructed with the development of this subdivision; a temporary cul de sac is not approvable. Lot 1 shall not have direct access to Hamilton Church Road.
4. If designed to meet the design criteria associated with a medium density local street (ST-252), a roundabout is acceptable where the spine street intersects a cross street.
5. A bond shall be posted for the construction of the required Hamilton Church Road improvements-widening on the development side of the road to the section designated in the Major Street Plan, turning



## Metro Planning Commission Meeting of 2/26/04

### PUBLIC WORKS

lanes on Hamilton Church Road, left turn and right turn lanes on the new roadway at Hamilton Church- in addition to any bonds necessary for infrastructure improvements

The Traffic Division supports the construction of this road without a temporary cul de sac at Hamilton Church Road. The connection to Hamilton Church Road should be constructed at the time of subdivision development and other identified conditions should be installed as well.

Without this connection to Hamilton Church Road, traffic will be forced to use neighboring streets. Homeowners in this development will get used to this road not being a collector and it will be difficult to make the connection to Hamilton Church Road in the future. If this connection is not made in the future, then Tea Garden will assume the collector road role in this area. It was not designed for that use and its residents should not be expected to see their residential road serve as a collector as the area continues to develop and traffic volumes increase.

These residents purchased their homes along Tea Garden assuming that it would remain a local residential street. It is not desirable to subject these unsuspecting residents to increased traffic flow, if the neighboring subdivision road is not connected to Hamilton Church.

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### PREVIOUS STAFF REPORT

#### Preliminary Plat

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

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### ZONING

#### RS10 District

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

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### CLUSTER LOT OPTION

Under the proposed cluster lot option, lot sizes can be reduced up to two zoning districts (5,000 square feet) with the installation of landscape buffer yards along the



## Metro Planning Commission Meeting of 2/26/04

### **ANTIOCH-PRIEST LAKE 10, COMMUNITY PLAN 2003 UPDATE**

perimeter of the site where the proposed lots are less than 10,000 square feet.

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

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

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

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

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



## Metro Planning Commission Meeting of 2/26/04

### SUBDIVISION DETAILS

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

As submitted, the proposed subdivision includes the following features:

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

### STORMWATER

The subdivision plat includes the following note, “Existing spring to be rerouted. Construct spring box with pipe beneath street which leads beneath street to detention pond.”

1. It is not permissible for an unknown volume of water to be routed from a spring to a detention pond.
2. If the spring is a water of the state, an appeal from the Stormwater Management Committee is required. Documentation from the state is required.



## Metro Planning Commission Meeting of 2/26/04

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### **PUBLIC WORKS**

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

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

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### **CONDITIONS**

1. The stub street in the northwest corner must be constructed.
2. All Stormwater comments must be addressed and coordinated with Planning Staff prior to grading plan approval.
3. The connection to Hamilton Church Road must be constructed with the development of this subdivision. Lot 1 shall not have direct access to Hamilton Church Road.
4. The proposed street shall be constructed to collector standards acceptable to Public Works, and the round-about must be eliminated.
5. A bond shall be posted for the construction of the Hamilton Church Road improvements- widening, turn lane, and street extension- in addition to any bonds necessary for infrastructure improvements.

[VIEW SKETCH](#)