



Metro Planning Commission Meeting of 1/8/04

**Item #
Other business
VII.**

Project No.

Associated Case
Staff Reviewer

Staff Recommendation

Request to amend the Antioch- Priest Lake

Community Plan: 2003 Update

Zone Change 2003Z-135U-13
Wood

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

REQUEST

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

Background

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

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

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



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

Please click [HERE](#) to view a graphic showing the property recommended to be changed to Residential Medium Density and Natural Conservation policies.



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**Item #
Other business
VIII.**

Project No.

**Request to amend the Subarea
10 Plan**

Associated Case

**Zone Change 2004Z-025U-10
Urban Design Overlay 2004UD-001U-10
31st Avenue/Long Boulevard UDO with Guidelines**

**Staff Reviewer
Staff Recommendation**

Covington
Approve

REQUEST

Amend the Subarea 10 Plan

Background

Staff has requested to amend the land use policy of the Subarea 10 Plan as the result of an intense study and charrette. The amended policies are proposed for implementation by zone changes and urban design overlays. The property in question is 56.47 acres bounded by 29th Avenue North on the east and I-440 on the west and Fairmont Place, Hillcrest Place, West End Circle, Hedrick Street, and Poston Avenue on the south and Parthenon Avenue on the north. This property is also the subject of a proposed zone change request, 2004Z-025U-10 and Urban Design Overlay on this agenda, 2004UD-001U-10, on this agenda. The Subarea amendment would change the property's land use policies from Residential Medium High Density (RMH), Residential High Density (RH), and Office Concentration (OC) to Neighborhood General (NG), Neighborhood Center (NC), and Neighborhood Urban (NU).

Residential Medium High Density policy allows for residential development between nine and twenty dwelling units per acre, Residential High Density policy allows for residential development above twenty dwelling units per acre, and Office Concentration policy allows for large concentrations of office development. Neighborhood General policy allows for a mix of carefully placed, residential building types, Neighborhood Center policy allows for a mix of uses intended to create a walkable, local center of activity. Neighborhood Urban policy allows for a dense mix of uses. A mix of office and residential uses are intended for the area proposed for Neighborhood Urban policy. The proposed policies for this area, together, allow for the creation of a pedestrian-friendly neighborhood that



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encourages an appropriate mix of compatible uses and building types that are consistent with the location, access, and amenity characteristics of the area.

Staff supports this amendment. The current policies allow for high density residential and office uses. The area has a well-connected street system that provides access to two arterials 31st Avenue North and West End Avenue, which is a good level of access for these policies. This area has been in transition from predominantly, low-density single-family development to high-density multi-family and office development for approximately thirty years. Current multi-family zoning has allowed a haphazard collection of apartments, condominiums, and converted single-family dwellings. The area's location, especially its proximity to Centennial Park and the West End Corridor, make it the appropriate location for high quality, high density, urban development. Under the proposed policies implemented by rezonings and an urban design overlay, any new development in the area must be accompanied by an appropriate design plan and must meet Metro codes, policies, and other guidelines for development.

Please click [HERE](#) to view a graphic showing the property recommended to be changed to Neighborhood General (NG), Neighborhood Center (NC), and Neighborhood Urban (NU) policy.



Project No.
Associated Case
Council Bill
Council District
Requested by

Zone Change 2003Z-135U-13

None
None
28 – Alexander
Joe McConnell MEC Inc., for Gold Star Development, Inc., owner
Deferred from November 13, 2003, and December 11, 2003, Commission meetings.

Deferral

Staff Reviewer
Staff Recommendation

Harris
Approve, subject to approval of the Antioch-Priest Lake Community Plan Amendment.

APPLICANT REQUEST

Rezone 40.18 acres from agricultural residential (AR2a) to residential multi-family (RM6) district property at Franklin Limestone (unnumbered).

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
RM6 district

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

**ANTIOCH-PRIEST LAKE
COMMUNITY PLAN POLICY**

SUBAREA PLAN AMENDMENT

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

No. The proposed zoning district is consistent with the Antioch-Priest Lake Community Plan Amendment. This zoning district would serve as a transition between the industrial and residential zoning along Franklin-



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Limestone Road. The west portion of the property is consumed by floodway and floodplain. Development of this site should follow the floodway and floodplain guidelines in Section 17.28.040 (A) (see below).

RECENT REZONINGS

Yes. Parcel 288 to the east was rezoned from R8 to RS7.5 in May 2001.

TRAFFIC

Based on the trip generation numbers for residential multi-family (RM6), this proposal is expected to generate approximately 1598 daily trips for apartment uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Request zone change from AR2a to RM6

Current Zoning

AR2a, Peak Adj. Street Traffic (Code 210, single family home)

AM trips = 15 PM trips = 21

Proposed Zoning

RM6, Peak Adj. Street Traffic (Code 210, single family home)

AM trips = 181 PM trips = 244

Or if multi-family (Code 22, apartments)

AM trips = 123 PM trips = 149

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.”

Planned Roadway Capital Improvements:

| Location | Project | Funding | Projected Date |
|-------------------------|--------------------------------------------------------------------------------------------|---------------------|----------------|
| Franklin Limestone Road | Franklin Limestone Road and related Mill Creek to Murfreesboro Pike to Mullins Rd. Phase 1 | Proposed G.O. Bonds | FY05-06 |



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SCHOOLS

17 Elementary 12 Middle 10 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 May 2003.

Planned School Capital Improvements:

| Location | Project | Projected Date |
|----------------------|-------------------------------------------------------------------------------------------|----------------|
| Apollo Middle School | Renovation | FY05-06 |
| Antioch Cluster | Construct a new middle school for 800 students on a new site in Southeast Davidson County | FY03-04 |

FUTURE SUBDIVISION

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

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

Included among those provisions are the following requirements:

- “The development of residentially zoned property shall minimize changes in grade, cleared area, and volume of cut or fill on those hillside portions of the property with twenty percent or greater natural slopes.” 17-28-030(A) (emphasis added).
- “For lots less than one acre, any natural slopes equal to or greater than twenty-five percent shall be platted outside of the building envelope and preserved to the greatest extent



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possible in a natural state.” i.e., grading of lots with twenty-five percent slopes to create a buildable lot is not permitted. 17.28.030(A) (1) (emphasis added).

- In areas with slopes of twenty percent or greater, subdivisions are encouraged to use the cluster lot option of 17.12.080. “In general, lots so created shall be clustered on those portions of the site that have natural slopes of less than twenty percent . . . Large contiguous areas containing natural slopes in excess of twenty-five percent should be recorded as common open space and permanently maintained in a natural state.” 17.28.030(A) (2) (emphasis added).

- “All development proposed on property that is not developed, as defined herein, encumbered by natural floodplain or floodway, . . . shall leave a minimum of fifty percent of the natural floodplain area, including all of the floodway area, or all of the floodway plus fifty feet on each side of the waterway, whichever is greater, undisturbed and in its original, natural state.” 17.28.040(A) (emphasis added).



Project No.
Associated Case
Council Bill
Council District
Requested by

Zone Change 2003Z-147U-05

None
None
8 - Hart
Robert W. Rutherford, applicant, for Phillip-Robinson Company, owner

Deferral

Deferred from the December 11, 2003, Commission meeting.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 0.58 acres from residential (R6) to residential multi-family (RM6) district property at 1017 and 1021 Spain Avenue, approximately 250 feet west of Gallatin Pike.

Existing 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. R6 zoning allows a total of 4.48 units on this site including 25% duplex lots.

Proposed Zoning
RM6 district

RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre. RM6 allows a total of 3.48 units on this site.

SUBAREA 5 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

No. The proposed zoning district is consistent with the Subarea 5 Plan's Residential Medium policy. This rezoning would serve as a transition from the commercial and office uses to the south along Gallatin Pike and the residential zoning along Spain Avenue. Staff recommends that neither multi-family nor commercial zoning extend further than this property



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into the existing residential area. Further extension of multi-family or commercial zoning into the residential neighborhoods also may not be warranted in other locations along Gallatin Pike.

RECENT REZONINGS

Yes. A portion of parcel 95 to the south and parcel 84 adjacent to the property were rezoned from OP to OR20 in the county-wide zoning update in 1998. Parcel 085 was presented to the Planning Commission in August 1998 for a zone change from R6 to OR20. The Planning Commission recommended disapproval and was withdrawn at Council.

TRAFFIC

Based on the trip generation numbers for residential multi-family (RM6), this proposal is expected to generate approximately 12 to 20 daily vehicular trips for elderly housing or residential condominium/townhome uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

There is a reduction in the number of dwelling units per acre with this zone change. In addition, the acreage is small.

“No Exception Taken.”

SCHOOLS

1 Elementary <1 Middle <1 High

Schools Over/Under Capacity

Students would attend Hattie Cotton Elementary, Gra-Mar Middle School and Maplewood High School. Hattie Cotton and Gra-mar have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

Planned School Capital Improvements:

| Location | Project | Projected Date |
|-----------------------|------------|----------------|
| Maplewood High School | Renovation | FY05-06 |



Project No.
Council Bill
Associated Cases
Council District
Requested By
Deferral

[Zone Change 2003Z-148G-06](#)
None
None
35 (Tygard)
Wallace Johnson, owner
Deferred from the December 11, 2003, Planning Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Leeman
Disapprove as contrary to the General Plan

APPLICANT REQUEST

Rezone 6.87 acres from residential single-family and duplex (R40) to commercial services (CS) property at 5731 River Road, River Road (unnumbered), and Charlotte Pike (unnumbered).

Existing Zoning
R40 district

R40 district 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

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

BELLEVUE COMMUNITY PLAN

Residential Low-Medium (RLM)

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

Policy Conflict

Yes. The CS district is not consistent with the Bellevue Community Plan's RLM policy calling for residential development at two to four dwelling units per acre. The property borders NCO (natural conservation) policy to the south, which was applied because of steep terrain. Though the property borders Commercial Mixed Concentration (CMC) policy to the east along Charlotte Pike, the subarea plan limits further encroachment of commercial toward the west along River Road.



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RECENT REZONINGS

Yes. A similar request to rezone this property and part of the adjacent properties to CS was made earlier this year, but deferred indefinitely prior to the Planning Commission meeting.

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, 6th 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
Requested By

[Subdivision 2003S-274U-05](#)

Martin Subdivision

None

7 - Cole

Douglas Martin, owner, John Kohl and Company, P. C.,
Surveyor

Deferral

Deferred from the December 11, 2003, Planning
Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Scott

*Approve with conditions, with a recommendation to
disapprove a request for a sidewalk variance, but allow
the required 4-foot grass strip to vary in width if needed
to protect the existing trees.*

APPLICANT REQUEST

Final Plat

Subdivide 1.5 acres into 4 lots, with a sidewalk
variance, at a proposed density of 2.66 dwelling units
per acre, located at the southeast corner of Warden
Drive and Avalon 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

Since no new streets are proposed for this subdivision, a
separate preliminary plat is not required. This plat
meets lot comparability for lot frontage and area and is
consistent with the Subarea 5 Plan's land use policy for
the area. Proposed lot sizes range from 11,490 square
feet to 20,802 square feet.

Approximately 483 feet of sidewalks are required along
Warden Drive and Avalon Drive.

SIDEWALK

Variance Request

The applicant has requested a sidewalk variance. The
request states that the existing house and lot date back
to 1855 and large trees, greater than 12" in diameter,
line the boundary of the lot. The location of the trees
will require that they be cut in order to install a
sidewalk. According to the applicant's request, the
uniqueness of the property is that it is the last piece of
land in the area with old mature trees still standing.



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Public Works Constructability Report

Pavement widening is not required to construct sidewalks at this location. Curb, gutter, and driveway and curb ramps are required at this location to meet the ST-210 sidewalk standard. Sidewalks are buildable at this site. Installation of Metro ST-210 sidewalk will likely result in the loss of one or two very large trees at the edge of the right-of-way.

Staff recommendation for Variance

When evaluating a variance request, staff reviews the criteria outlined in the Metro Subdivision Regulations. Staff found that:

- The conditions upon which the request for this variance is based are not unique to the subject property.
- Because of the particular physical surroundings, shape, or topographical conditions of the property, staff does not believe that a particular hardship to the owner would result, as distinguished from a mere inconvenience. Staff does recommend the applicant be allowed to reduce the four foot grass strip where needed in order to preserve the trees along the property edge, in accordance with Subdivision Regulation, 2-6.1.B.4 (c).

STORMWATER

A Stormwater appeal was made by the applicant to allow the subdivision of the existing lot into four lots without the requirement for permanent stormwater detention for quality or quantity. That appeal was denied as requested, but granted provided the applicant flag each lot on the plat with a note stating, "Prior to Metro Codes issuing any permits for the redevelopment of Lot 3 or development of Lots 1, 2, and 4, a Grading Permit shall be obtained from Metro Water Services, Stormwater Division."

TRAFFIC ENGINEER'S FINDINGS

No exception taken.

CONDITIONS

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



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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. A revised plat addressing Planning, Stormwater and Water Service's comments, including a sidewalk along the front of lots 1-4 if variance disapproved, from memo dated October 20, 2003, shall be submitted for approvals prior to final plat recordation.



Project No.
Project Name
Associated Cases
Council District
Deferral

[Subdivision 2003S-047G-14](#)

Hager Glen Subdivision

None

12 - Gotto

Deferred by the applicant from the February 27, 2003 meeting.

Requested By

Louise H. Davis, owner, SEC, engineer

Staff Reviewer
Staff Recommendation

Fuller

Approve with conditions and a variance to Section 2.4.3B, Shared Driveways.

APPLICANT REQUEST

Preliminary Plat

Request to subdivide 3.08 acres into 7 lots with 1.27 acres of open space, located at the southeast corner of the intersection of John Hager Road and South New Hope Road.

ZONING

RS10 zoning

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

CLUSTER LOT OPTION

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

The plan proposes only one lot that is below 10,000 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 41% (1.27 acres) of open space.

SUBDIVISION DETAILS

This project has been granted 2 appeals from the Stormwater Management Committee. The first was granted on July 24, 2003, to relocate a Metro defined 40+ acre wet weather conveyance and a 25-foot stream buffer (Appeal 2003-114). The second appeal was approved November 7, 2003, and allows on-site stormwater quality measures to fall within residential lots in 10' water quality easements (Appeal 2003-192). Additionally, because of the stormwater issues involved with this site, grading plans have already been submitted



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PUBLIC WORKS

to Stormwater Management staff and approved pending Planning Commission approval.

No exceptions taken.

A temporary construction easement is needed for installation of Metro sidewalks associated with Ruby Major Elementary School.

If the developer performs any work in the existing right of-way, he must contact Public Works--Utility Permits--for excavation and lane closure permits.

SUBDIVISION VARIANCES

(2-4.3 B, Access from Collector Streets)

Regulation 2.4.3 B allows the Planning Commission to require a shared driveway on lots fronting a collector street if it is deemed necessary. The applicant has originally requested a variance from this requirement because the surrounding area is developed with individual drives, however since that time the Stormwater Appeals Board has required the developer to construct biofilter swales for stormwater quality along the property lines between the houses where the shared drives would have been placed.

Public Works Recommendation Approve

Planning Recommendation

Approve. The requirement of the Stormwater Appeal for the provision of biofilter swales for water quality between each lot provides a practical difficulty in providing shares drives. Shared driveways would interfere with the function of these swales.

CONDITIONS

A revised plat shall be submitted prior to the Planning Commission meeting that shows:

1. A temporary construction easement for installation of Metro sidewalks along the edge of the R.O.W. dedication.
2. Continue the sanitary sewer easement across lot 7 to the property line to allow neighboring properties access.



Project No.
Project Name

Subdivision 2003S-289G-14
Villages of Larchwood, Phase 2, Section 4B,
Revision of Lot 74

Associated Cases
Council District
Requested By
Deferral

None
13 - Burch
Tom Ragsdale, owner agent.
Deferred from the December 11, 2003, Planning
Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Scott
Disapprove

APPLICANT REQUEST
Final Plat

This request is to remove the sidewalk requirement on
Lot 74, located at the terminus of Fitzpatrick Road.

ZONING
R10 District

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

SUBDIVISION DETAILS

A revised preliminary PUD and final PUD for this
section were approved by the Planning Commission
April 29, 1999, and included Fitzpatrick Road as a stub
street to the adjacent property. The construction plans
for this section were approved by the Metro Public
Works Department July 15, 1999, and show a cul-de-
sac without a sidewalk along Fitzpatrick Road. A final
plat was submitted with a cul-de-sac and then revised to
exclude the cul-de-sac and 3 lots. This allowed the
applicant to work on a majority of this section while
working out the details of the cul-de-sac. The Planning
Commission approved this final plat on August 31,
2000.

A request to amend the PUD to allow the cul-de-sac,
which had already been constructed, was then
submitted and disapproved by the Planning
Commission on January 4, 2001. Council subsequently
approved it in April of 2001. The amendment carried a
recommendation of disapproval from the Planning
Commission primarily because Fitzpatrick Road would
not connect to a planned stub street east of the adjacent
subdivision. Although the plan approved by the Metro
Council did not show a sidewalk along the front of Lot



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74, a sidewalk is required since no variance was requested for removal of this sidewalk.

The final PUD was approved by the Planning Commission with the condition that a sidewalk be extended along the front of Lot 74 in May of 2001. The final plat was approved with the sidewalk shown on it in July 2001.

Currently, there is a cul-de-sac at the end of Fitzpatrick Road and a cul-de-sac at the end of White Pine Drive. These two cul-de-sacs do not connect, but there is existing unbuilt right-of-way that connects the cul-de-sacs.

Upon inspection of the site, staff recognizes the installation of a sidewalk along Lot 74 will be difficult, but this sidewalk has been required since the plan was revised in 1999. The house on the site is located well below the grade of the cul-de-sac. These conditions were self-created, however, since the applicant was aware that a sidewalk was required prior to grading permits being issued.

TRAFFIC ENGINEER'S FINDINGS

Sidewalks can be engineered for this site.

RECOMMENDATION

Staff recommends disapproval of this request.



Project No.
Project Name
Council Bill
Council District
Associated Case
Requested By

[Planned Unit Development 102-86-P-06](#)

Riverside Residential PUD

None

35 - Tygard

None

Walter Davidson & Associates, applicant, for Rochford Construction Company, owner

Deferral

Deferred from the Commission Meeting of November 13, 2003

Staff Reviewer
Staff Recommendation

Mitchell

Defer indefinitely until applicant addresses comments by the Metro Stormwater Engineer following review of the submitted geotechnical study.

APPLICANT REQUEST
Amend Preliminary

Request to amend the preliminary master plan for the Riverside Residential PUD to allow for the addition of 10 residential lots, bringing the total number of lots from 254 to 264. The property is located south of New Morton Mill Road and west of Old Harding Pike.

MPC DEFERRAL ACTION

At the November 13, 2003, meeting, the Commission deferred this item to the January 8, 2004 meeting and required staff and the applicant to provide two items: 1) Staff was required to provide an analysis of all public hearings that this PUD has encountered, and 2) the applicant was required to provide a geotechnical study of the hillside upon which Phase 7 is proposed to be constructed.

Public Hearing Analysis

According to the records staff has reviewed, this PUD was created by Metro Council in 1986, when Rochford Construction proposed to develop 254 single-family homes in several phases. The PUD was approved by Metro Council pursuant to Ordinance 87-1609 & 87-1610. As part of the original approval of the PUD, a condition was added that Morton Mill Road was to be re-aligned to match the 1986 Collector Street / Major Route Plan map and that other significant roadway improvements be made to Morton Mill Road. In addition, the 100-year floodplain map that was submitted as part of the preliminary PUD plan was determined to be incorrect and was to be corrected and



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approved by the Federal Emergency Management Agency (FEMA).

The PUD commenced development with each phase coming before the Planning Commission for final PUD approval. In 1992, the applicant requested an amendment to the PUD (Ordinance 92-331) to increase the land area of the PUD by including parcel 121 – a tract of land located between Morton Mill Road and the Harpeth River – to maintain the proper ratio of open space and development areas within the PUD. Following that amendment to the PUD, no other amendments, requiring Council approval, have been requested until this request for the expansion of Phase 7. Final PUD approvals for particular phases were granted approval or conditional approval on the following dates:

Phase 1: August 12, 1987
Phase 2: December 17, 1992
Phase 3: June 10, 1999
Phase 4B: July 9, 1998
Phase 5: October 24, 2002
Phase 6: August 14, 2003

Geotechnical Study

The applicant submitted a geotechnical study on December 1, 2003. The study was performed, and sealed, by Ronald A. Jones of G.E.C., Inc. The study describes existing conditions by recognizing that the hillside, on both sides, is sloughing at different rates and in varying amounts depending on soil depths. It also analyzed the impact of roadway and home construction and how water will then drain down the hillsides and into the lots located at the base of the hill. In conclusion, the engineer stated the following: “As a professional engineer, it is my opinion that the proposed construction will not impact these lots [at the toe of the hill] and in contrast, will actually improve conditions. The slopes behind Lots 124 – 130 may experience future sloughing of the shallow soils, but these damages will be due to existing conditions – thin vegetative cover, natural ground water seepage and steep slopes.”

An engineer with Metro Stormwater analyzed the geotechnical study and provided the following information: “In general I would agree with the



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conclusion that the proposal should not have an adverse impact on the existing lots. There are certain caveats that come to mind for this to be the case. If post development conditions create any channeling of water toward the existing lots 124-130 it would be detrimental. I am not sure what controls are in place to see that this does not happen. I note that a drainage swale is mentioned in the report but I do not see it on the grading plan. I must also be concerned that the report takes the line of thought that lots 124-130 may experience damages in the future with no effort to provide solutions for the situation created by an earlier part of this development.”

Accordingly, staff recommends that the Commission defer consideration of this application indefinitely to give the applicant an opportunity to address the concerns raised by the Stormwater division.

ZONING

RS20

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

PLAN DETAILS

The submitted plan proposes the addition of 10 single-family lots to the last portion of developable land, which will be Phase 7. The most recently amended plan was adopted by Metro Council on August 4, 1992. That amended plan added 11 acres to the PUD plan. On that plan, seven lots and a very small cul-de-sac were proposed where this proposed expansion will occur. The Frank H. Carter tract, which was originally designed around will now be used to extend the dead-end street and provide for the addition three lots.

The site design of the proposed plan does not propose significant changes from the currently approved plan. The proposed plan simply extends the previously approved shorter cul-de-sac. Stormwater management will be handled via a storm-pipe system that will drain to the existing lake.

With the addition of 10 lots, the applicant is proposing to incorporate an existing lot, directly across the street from this new street and adjacent to the existing playground, back into common open space.



Metro Planning Commission Meeting of 1/8/04

METRO PUBLIC WORK'S FINDINGS

No exception taken, subject to construction plan approval at the final PUD stage.



Project No.
Associated Case
Council Bill
Council District
Requested by

Zone Change 2003Z-032G-14

None
None
11- Brown
Jeff Browning of Mid-South Land Associates, applicant, for Shirley B. and Thomas J. Mitchell, Josephine S. Baltz, and Ruth B. Randolph, owners. Deferred indefinitely from the March 13, 2003 Commission meeting. The applicant is requesting deferral to the January 22, 2004 meeting.

Deferral

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 4.25 acres from residential (R10) to commercial limited (CL) at 305, 309, 315 Old Lebanon Dirt Road.

Existing Zoning
R10 zoning

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots. The existing R10 would allow 16 lots, or 20 units with 25% of the lots used for duplexes.

Proposed Zoning
CL zoning

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 offices.

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

Yes. The proposed CL district is inconsistent with the Subarea 14 Plan's CAE policy. The intent of the CAE policy is to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop into nodal patterns. The proposed zoning district would expand commercial uses onto a



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residential and substandard road. If approved, Old Lebanon Dirt Road should be improved at the final development stage.

RECENT REZONINGS

None.

TRAFFIC

Based on typical uses in CL districts this proposed zoning would generate approximately 1,728 to 5,539 vehicle trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Request zone change from R10 to CL

Current Zoning

R10, (Code 210)

AM trips = 24 PM trips = 25

Proposed Zoning

CL, (Code 832)

AM trips = 1,029 PM trips = 1,206

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

A TIS has not been submitted.



Project No.
Council Bill
Council District
Requested By
Associated Cases

[Zone Change 2003Z-080U-12](#)
BL2004-84 (formerly BL2003-1486)
32-Coleman
Garry Batson, applicant, Janie Broadhead, owner
None

Staff Reviewer
Staff Recommendation

Reed
Approve

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.

Proposed Zoning
RM9 district

Intended for single-family, duplex, and multi-family dwellings at a maximum density of 9 dwelling units per acre. The RM9 district would allow 40 multi-family units on this property.

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 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.*

POLICY CONFLICT

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. RM9 is an appropriate zoning for this parcel.

RECENT REZONINGS

Yes. The Planning Commission recommended disapproval of RM20 and approval of RM9 on this same property at the June 26, 2003, Planning Commission



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meeting. Since the original council bill was not approved during the last council term, a new bill had to be filed. Councilman Coleman requested that this item be reheard by the Planning Commission since he was not in office when it was heard previously.

TRAFFIC

Based on typical uses in the RM9 district, approximately 234 vehicle trips per day could be generated. (Institute of Transportation Engineers, 6th 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.”

The Public Works Department further noted that the proposed zoning is relatively small and that no current traffic counts are available for the intersection. 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 planning staff, however, that Public Works may require the following with any such development:

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;
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 Planning Commission Meeting of 1/8/04

SCHOOL STUDENTS GENERATED

Schools Over/Under Capacity

3 Elementary 2 Middle 2 High

Students would attend Cole Elementary, Antioch Middle School and Antioch High School. All three schools have been identified as overcrowded by the Metro School Board.



Project No.
Associated Case
Council Bill
Council District
Requested by

[Zone Change 2003Z-001G-14](#)

None
None
12- Gotto
John D. McCormick, applicant, for William A. Wright and Pamela Evetts

Staff Reviewer
Staff Recommendation

Harris
Disapprove request for RS10, but approve RS15 if application is amended by applicant prior to the meeting.

APPLICANT REQUEST

Rezone 13.2 acres from agricultural/residential (AR2a) to residential single-family (RS10) at 818 and 840 Old Lebanon Dirt Road and 6340 and 6344 North New Hope Road.

Existing Zoning
AR2a zoning

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

Proposed Zoning
RS10 zoning

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 district would allow 49 single-family lots on this property.

RS15 zoning

RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. The RS15 district would permit 33 single-family lots.

SUBAREA 14 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

Although the RS10 is consistent with the Subarea 14 Plan's Residential Low Medium (RLM) policy, it is not consistent with the established zoning pattern in the



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Road Improvements

area. Staff is also concerned that the RS15 district may be premature due to substandard roads. Public Works however has stated they will not make traffic recommendations until the property is platted for subdivision. The dominant zoning pattern in this area is RS15, which allows for a density of 2.47 dwelling units per acre. While RLM policy allows densities of up to four units per acre, there is no requirement that the Commission approve every zoning request at the maximum density allowed by the land use policy.

Cobblestone Landing (2002S-289G-14--Parcels 130-133, 156 to the southeast) was approved by the Commission in December 2002 with the following condition:

1. The following road improvements must be completed or bonded prior to any final plat recordation:
 - a. Reconstruction of hill profile on North New Hope Road at the intersection with Road "A".
 - b. A left turn lane on southbound North New Hope Road.
 - c. The northbound approach on North New Hope Road widened to include separate left and right turn lanes at the intersection with Old Lebanon Dirt Road.

These improvements have not been completed at this time.

RECENT REZONINGS

None.

TRAFFIC

Based on typical uses in RS10 districts this proposed zoning is expected to generate approximately 468 vehicular trips per day could be generated. Based on typical uses in RS15 districts, approximately 316 vehicular trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Current Zoning

AR2a, (Code 210)

AM trips = 14 PM trips = 10



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Proposed Zoning

RS10, (Code 210)

AM trips = 44 PM trips = 47

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

SCHOOLS

8 Elementary 5 Middle 4 High

Schools Over/Under Capacity

Students would attend Dodson Elementary, Dupont-Tyler Middle School and McGavock High School. Dupont-Tyler has been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

Planned School Capital Improvements:

| Location | Project | Projected Date |
|---------------------|----------------|-----------------------|
| Dodson Elementary | Renovation | FY07-08 |
| Dupont-Tyler Middle | Renovation | FY08-09 |
| McGavock High | Renovation | FY03-04 |



Project No.
Associated Case
Council Bill
Council District
Requested by

[Zone Change 2004Z-002U-08](#)
None
None
19 - Wallace
William and Verica Coleman, for William Coleman, owners

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 0.06 acres from commercial service (CS) to mixed use limited (MUL) district property at 1708 Jefferson Street, across from 17th Avenue North.

Existing Zoning
CS district

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

Proposed Zoning
MUL district

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

**NORTH NASHVILLE
COMMUNITY PLAN POLICY**

**FISK-MEHARRY DETAILED NEIGHBORHOOD
DESIGN PLAN (DNDP)**

Mixed Use in Community Center
(MxU in CC)

MU is intended for buildings that are mixed horizontally and vertically. The latter is preferable in creating a more pedestrian-oriented streetscape. This category allows residential as well as commercial uses. Vertically mixed-use buildings are encouraged to have shopping activities at street level and/or residential above.

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



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Policy Conflict

No. The proposed zoning district is consistent with the North Nashville Community Plan's Fisk-Meharry Detailed Neighborhood Design Plan's Mixed Use in Community Center policy. The MUL district is also consistent with surrounding zoning districts.

RECENT REZONINGS

Yes. Parcel 585 to the west was rezoned in July 2003. The Commission approved this rezoning in May 2003.

TRAFFIC

Based on the trip generation numbers for mixed use limited (MUL), this proposal is expected to generate approximately 15.32 to 106 daily vehicular trips ranging from townhome to specialty retail center uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendation

Current Zoning

CS, (Code 814)
AM trips = n/a PM trips = 4

Proposed Zoning

MUL (Code 814)
AM trips = n/a PM trips = 7

“No Exception Taken”

Planned Road Capital Improvements:

| Location | Project | Funding | Projected Date |
|------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------|----------------------|
| Jefferson Street | Intersection Improvements for 6 intersections on Jefferson St. between 8 th Ave. and 28 th St. | Proposed G.O. Bonds/Federal Funds | FY03-04 thru FY06-07 |

SCHOOLS

1 Elementary <1 Middle <1 High



Metro Planning Commission Meeting of 1/8/04

Schools Over/Under Capacity

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

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



Project No.
Associated Case
Council Bill
Council District
Requested by

[Zone Change 2004Z-006U-06](#)
None
None
22 - Crafton
Bethany L. Harbin of State Farm Insurance, applicant,
for H.A. Travis, etux, owner.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST

Rezone .40 acres from residential (R15) to commercial limited (CL) district property at 631 Old Hickory Blvd. and Old Hickory Blvd. (unnumbered).

Existing Zoning
R15 district

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

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.

BELLEVUE COMMUNITY PLAN POLICY

Commercial Mixed Concentration (CMC)

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

Policy Conflict

No. The proposed zoning district is consistent with the Bellevue Community Plan's Commercial Mixed Concentration (CMC) policy. The CL district is also consistent with surrounding zoning districts.

RECENT REZONINGS

None.



Metro Planning Commission Meeting of 1/8/04

TRAFFIC

Based on the trip generation numbers for commercial limited (CL), this proposal is expected to generate approximately 115 trips for office uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendation

Current Zoning

R15, (Code 210)

AM trips = 11 PM trips = 5

Proposed Zoning

CL (Code 832)

AM trips = 97 PM trips = 114

This property on OHB near the I-40 ramp has had further review. Public Works will not require a TIS at the zone change or development stage, if the owner accepts the below conditions. Public Works have developed conditions for this zone change because the size of the property (.4acres), the recalculated borderline number of generated trips (applying an FAR of .6) and the available lane capacity on OHB.

Originally this parcel was zoned as R15 and would have generated AM= 11 and PM = 5, there is a difference of 87 and 109 trips being made respectively.

Conditions

1. One access drive for right in and right out only movements will be allowed. This drive shall be located at the maximum distance possible from the I-40 ramp.
2. The 2 properties shall be combined or a reciprocal access agreement for cross access shall be prepared.

CONDITIONS

1. Compliance with Public Works conditions mentioned above.



Metro Planning Commission Meeting of 1/8/04

-
2. Prior to the issuance of any use and occupancy permits for any commercial use on these properties, a new driveway should be established north of the driveway for the existing home. The existing driveway should be abandoned.



| | |
|-----------------------------|----------------------------------------------------------------------------------|
| Project No. | <u>Zone Change 2004Z-007U-09</u> |
| Associated Case | None |
| Council Bill | None |
| Council District | 19 – Wallace |
| Requested by | Van Christian, Christian Properties, Inc., for Joseph Formosa & Sons Partnership |
| Staff Reviewer | Harris |
| Staff Recommendation | <i>Approve</i> |

APPLICANT REQUEST

Rezone 1.65 acres from industrial restrictive (IR) to mixed use intensive (MUI) district property at 823 3rd Avenue North, across from Criddle Street.

Existing Zoning
IR district

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

Proposed Zoning
MUI district

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

SUBAREA 9 PLAN POLICY

Mixed Use (MU)

MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density.

Policy Conflict

No. The proposed zoning district is consistent with Subarea 9 Plan’s MU policy. The MUI zoning district is intended to be applied to portions of downtown core areas consistent with the General Plan. The subarea plan states that “a mixture of entertainment, community and cultural, smaller scale retail and business uses integrated with residential development is desirable.” This zoning district would allow this mixture of uses desired in this area.

RECENT REZONINGS

None.



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TRAFFIC

Based on the trip generation numbers for mixed use intensive (MUI), this proposal is expected to generate approximately 404 to 32,325 daily vehicular trips ranging from apartment to restaurant uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendation

Current Zoning

IG, Peak Adj. Street Traffic (Code 140)

AM trips = 32 PM trips = 32

Proposed Zoning

MUI, Peak Adj. Street Traffic (Code 710)

FAR=1

AM trips = 143 PM trips = 160

FAR=5

AM trips = 560 PM trips = 536

“Because of the development area, maturity of the roadway system, and size of the development, no TIS will be required at this stage. However, one may be required with the development plans.”

SCHOOLS

3 Elementary 2 Middle 2 High

Schools Over/Under Capacity

Students would attend Eakin Elementary, West End Middle School and Hillsboro High School. West End and Hillsboro have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

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

Planned School Capital Improvements:

| Location | Project | Projected Date |
|------------------|------------|----------------|
| Eakin Elementary | Renovation | FY03-04 |
| West End Middle | Renovation | FY03-04 |
| Hillsboro High | Renovation | FY03-04 |



Project No.
Associated Case
Council Bill
Council District
Requested By

Zone Change 2004Z-008G-06
2004P-002G-06
None
22 – Crafton
Anderson – Delk & Associates, Inc., applicant, for
Tennessee Contractors Inc., owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve

APPLICANT REQUEST

Rezone approximately 31.3 acres from residential (R80) to residential single-family (RS20) district property adjacent to the south margin of Old Charlotte Pike (unnumbered) and running east of Overall Creek.

Existing Zoning
R80 district

R80 requires a minimum 80,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 0.58 dwelling units per acre including 25% duplex lots.

Proposed Zoning
RS20 district

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

BELLEVIEW COMMUNITY PLAN POLICY

Residential Low-Medium (RLM)

RLM is a policy category designed to accommodate residential development within a density range of about 2 to 4 dwelling units per acre. Development at the upper end of the density range is recommended at locations along and in the vicinity of arterial and collector streets, provided primary access to the collector or arterial is not through a lower density area.

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



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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 physical features that are severe constraints to urban development. NCO policy should be applied to large areas where only minimal accessibility is expected. Due to their environmentally sensitive character, NCO areas are generally unsuitable for conventional suburban or urban development. 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

No. The proposed zoning is consistent with the RLM policy for the area and the developer is proposing to keep all development out of the Natural Conservation area. The Natural Conservation area has been applied because of the steep hillside located in the southeast corner of the site. There is an associated planned unit development (PUD) that is also being requested for this property. The PUD proposes a 49-lot single-family development that is consistent with the character of residential development in the existing Westchase Residential PUD located to the south of this property.

RECENT REZONINGS

No

TRAFFIC

Based on the trip generation numbers for RS20, this proposal will generate approximately 555 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Different densities could generate more or less traffic.

Public Works' Recommendations

Current zoning

R80, Peak Hour Adj. Street Traffic (Code 210)
AM trips = 22 PM trips = 23

Proposed zoning

RS20, Peak Hour Adj. Street Traffic (Code 210)
AM trips = 50 PM trips = 66

“I believe that RPM’s analysis of the access at Charlotte Pike will address any traffic concerns



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regarding the addition of 49 units to the back of this property. I recommend that our request for a TIS at development for this zone change 2004Z-008G-06 and for a PUD addition be cancelled. The extension of the left-turn lane on Charlotte Pike to 125 feet shall be conditioned for this PUD [and rezone].”

SCHOOLS

6 Elementary 5 Middle 4 High

Schools Over / Under Capacity

Students would attend Gower Elementary, Hill Middle, and Hillwood High School. Hill Middle has been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 5, 2003.



Project No.
Project Name
Council Bill
Council District
Requested By

[Planned Unit Development 2004P-002G-06](#)

Addition to Westchase PUD

None
22 - Crafton
Anderson – Delk & Associates, Inc., applicant, for
Tennessee Contractors Inc., owner
97P-011G and 2004Z-008G-06

Associated Case(s)

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD, to be called Addition to Westchase PUD, to allow for the development of 49 single-family lots on approximately 31.3 acres. The PUD property is located along the south margin of Old Charlotte Pike and runs along the eastern margin of Overall Creek.

PLAN DETAILS

Site Design:

The proposed plan calls for the development of 49 single-family lots to be located at the base of a hill that peaks in the southeast corner of the property. All lots will be located along a single spine road that will be an extension of an existing roadway located within the Westchase Residential PUD. This roadway will continue around the base of the hill and temporarily dead-end at parcel 293, which is located just south of Old Charlotte Pike and across from Gower Road.

This PUD plan proposes a connection with the existing Westchase Residential PUD. The applicant of both PUDs, Tennessee Contractors, Inc., is also revising the Westchase PUD by relocating 16 single-family lots so that they can tie-in with this new PUD. Per the resubmitted PUD plans, all of the upslope lots will be designated as Critical Lots and will require individual review pursuant to the Metro Subdivision Regulations.

Open Space Provisions:

The applicant is required to provide a minimum of 15% open space – or approximately 4.7 acres in this case. Because of the hillside and slopes associated with this site, the applicant is providing approximately 19.3 acres



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Floodplain:

of open space – or approximately 62% of the gross acreage.

The proposed subdivision is located adjacent to the Overall Creek 100-year floodplain. The majority of floodplain, as well as all of the floodway, are located on the west side of the creek since the grade begins to slope to the southeast on the subject site. The applicant has added a note to the PUD plan stating that development will remain out of the entire floodway and at least 2/3 of any floodplain, as required by the Metro Code.

METRO PUBLIC WORKS' COMMENTS

It is recommended that an eastbound turn-lane, with 125-feet of storage, be provided on Charlotte Pike, at the entrance to the existing Westchase Residential PUD.

CONDITIONS

1. An eastbound turn-lane, with 125 feet of storage, shall be provided along Charlotte Pike, at the entrance to the existing Westchase Residential PUD.
2. This preliminary plan approval for this portion of the master plan is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.



Project No.
Associated Case
Council Bill
Council District
Requested by

[Zone Change 2004Z-009U-06](#)
None
None
35- Tygard
Stephen Sisco, applicant, for Clay and Joanne Bailey, owners

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 15.82 acres from office/residential (OR20) to commercial service (CS) at 7201 Charlotte Pike, along I-40 West.

Existing Zoning
OR20 zoning

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

Proposed Zoning
CS zoning

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

Commercial Mixed Concentration (CMC)

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

Policy Conflict

The proposed CS district is consistent with the Bellevue Community Plan’s Commercial Mixed Concentration policy, however, this parcel falls within a special policy area. The Bellevue Community Plan states that “commercial uses in this CMC area should be in smaller scale buildings with a low floor area ratio (0.1 to 0.15)” due to topography and floodplain. The CS zoning district would be too intense for this area, CN would be the preferred zoning district for this parcel. The existing zoning district allows for residential development consistent with the policy. The special



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policy area calls for residential development within the CMC policy to be limited to approximately 15 units per acre. Staff also feels that this rezoning is premature. There is underutilized commercially zoned property in the area. These properties should be considered before this property is rezoned to commercial. This is also within a Special Policy area in which “commercial uses in this ...area should be in smaller scale buildings with a low floor area ratio (0.1 to 0.15)” due to topography and floodplain (p.49). The proposed zoning district would be too intense. If rezoned, a PUD should accompany this zone change to ensure that the steep hillsides will be protected and development will be of low intensity. Development should be limited to the flat portion of the site.

RECENT REZONINGS

None.

TRAFFIC

Based on trip generation numbers for commercial service (CS), this proposal is expected to generate approximately 15,505 to 16,797 vehicular trips per day ranging from new car sales to specialty retail center uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Current Zoning

OR20, (Code 710)

AM trips = 860 PM trips = 822

Proposed Zoning

CS, (Code 820)

AM trips = 426 PM trips = 1547

“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.”



| | |
|-----------------------------|--------------------------------------------------------------------------|
| Project No. | <u>Zone Change 2004Z-011U-12</u> |
| Associated Case | None |
| Council Bill | None |
| Council District | 27 – Foster |
| Requested by | Masoud Zand, applicant, for David Lipscomb University, Tr. Et Al, owners |
| Staff Reviewer | Harris |
| Staff Recommendation | <i>Approve</i> |

APPLICANT REQUEST

Rezone 0.55 acres from residential (R6) to commercial service (CS) district a portion of property at 412 Brewer Drive, corner of Nolensville Pike and Brewer Drive.

Existing 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.

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 12 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 CS zoning district is consistent with Subarea 12 Plan’s CAE policy and the surrounding zoning pattern existing in the area. This rezoning would complete the commercial node developing in this section of Nolensville Pike. The proposed zoning district should not extend west of this property into the residential neighborhood along Brewer Drive. Since this proposal is only to rezone the front portion of the



Metro Planning Commission Meeting of 1/8/04

property fronting Nolensville Pike, it is consistent with the Subarea Plan and zoning pattern in the area.

RECENT REZONINGS

Yes. Parcel 043 to the east was rezoned from R10 to CS in January 2003. Planning Commission did approve this zone change in October 2002 (2002Z-106G-12).

TRAFFIC

Based on the trip generation numbers for commercial service (CS), this proposal is expected to generate approximately 539 to 7134 daily vehicular trips ranging from auto sales to restaurant uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Current Zoning

R6, Peak Adj. Street Traffic (Code 210)

AM trips = 4 PM trips = 5

Proposed Zoning

CS, Peak Adj. Street Traffic (Code 911)

AM trips = 370 PM trips = 725

Public Works has re-calculated the trips for this zone change using a revised assumed square footage and land use code.

“No TIS will be required.”



Project No.
Associated Case
Council Bill
Council District
Requested by

[Zone Change 2004Z-012U-08](#)
None
None
21 - Whitmore
Ragan-Smith Associates, Inc., applicant, for Charles Binkley and Eatherly Family Holding Co., owners

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 11.71 acres from residential (R6) to residential multi-family (RM15) district a portion of property at Clarksville Pike (unnumbered), north of Metrocenter Blvd.

Existing 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. R6 zoning allows a total of 4.48 units on this site including 25% duplex lots. The R6 district permits 72 lots with 18 lots allowed to have duplexes for a total of 90 units.

Proposed Zoning
RM15 district

RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. The RM15 district would permit 176 multi-family units on this property.

**NORTH NASHVILLE
COMMUNITY PLAN POLICY**

Corridor Center (CC)

CC is intended for civic activities and low-rise public benefit uses. Residential, mixed use and nonresidential development proposals other than civic and public benefit should meet all of the following criteria to be considered on their merits: (1) If available, TND regulations should apply. If TND regulations are not available, several conventional zoning districts apply if accompanied by an Urban Design or Planned Unit Development overlay district, (2) No "Special Policy" applies to the site that expressly makes an exception to this policy or does not support the proposal.

Policy Conflict

Yes. The proposed zoning district is not consistent with the North Nashville Community Plan's Corridor Center



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policy. The proposed rezoning is listed as a conventional zoning district permitted within the policy, however, the policy requires that a PUD accompany this zone change to assure design and development objectives.

RECENT REZONINGS

None.

TRAFFIC

Based on the trip generation numbers for residential multi-family (RM15), this proposal is expected to generate approximately 990 daily vehicular trips for apartment uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less 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 the required mitigations."

SCHOOLS

13 Elementary 9 Middle 8 High

Schools Over/Under Capacity

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

Planned School Capital Improvements:

| Location | Project | Projected Date |
|-----------------------|------------|----------------|
| Brookmeade Elementary | Renovation | FY07-08 |
| Hillwood High | Renovation | FY07-08 |



Project No.
Associated Case
Council Bill
Council District
Requested by

[Zone Change 2004Z-013G-06](#)
None
None
22 - Crafton
Mike Clark, MC Properties, Inc. for Harding Corporation, applicant, for R.W. Steltemeir, Jr. and Suntrust Bank, owners

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 1.68 acres from office/residential (OR20) to commercial limited (CL) at 7096 Old Harding Pike and portion of property at 7121 Highway 70 South, east of Hicks Road.

Existing Zoning
OR20 zoning

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

Proposed Zoning
CL zoning

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.

BELLEVUE COMMUNITY PLAN POLICY

Retail Concentration
Community (RCC)

RCC policy is intended to accommodate concentrations of community scale retail. Community scale retail includes many forms of retail activity, including most types of retail shops, restaurants, entertainment, and consumer services but at a scale smaller than that of a regional mall.

Policy Conflict

Yes. The proposed CL zoning district is consistent with the Bellevue Community Plan's RCC policy. It is also consistent with the surrounding zoning pattern.

RECENT REZONINGS

None.

TRAFFIC

Based on the trip generation numbers for commercial limited (CL), this proposal is expected to generate approximately 1,786 daily vehicular trips for specialty retail center uses. (Institute of Transportation



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Public Works Recommendations

Current Zoning

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

OR20, (Code 710)

AM trips = 122 PM trips = 145

Proposed Zoning

CL, (Code 832)

AM trips = 407 PM trips = 477

“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.”



Project No.
Associated Case
Council Bill
Council District
Requested by

[Zone Change 2004Z-014G-06](#)
None
None
35 - Tygard
AGH Ventures, owners

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 7.71 acres from commercial service (CS) to residential multi-family (RM15) at Highway 70 South (unnumbered), west of McCrory Lane.

Existing Zoning
CS zoning

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

Proposed Zoning
RM15 zoning

RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. This would total 116 units on this site.

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 RM15 district is inconsistent with the Bellevue Community Plan's RLM policy. The RM15 zoning district exceeds the density range of the RLM policy. RM15 allows for 15 dwelling units per acre, while the policy intends for two to four dwelling units per acre. This rezoning is not consistent with the emerging zoning pattern in the area. Recently, the adjacent property was rezoned from AR2a to RS15.

RECENT REZONINGS

Yes. The adjacent property (parcel 28) was rezoned from AR2a to RS15 in June 2003. Subsequently, a subdivision for 78 single-family lots was approved by the Planning Commission in August 2003.



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TRAFFIC

Based on the trip generation numbers for residential multi-family (RM15), this proposal is expected to generate approximately 769 daily vehicular trips for apartment uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Current Zoning

CS, (Code 710)
AM trips = 314 PM trips = 300

Proposed Zoning

RM15, (Code 210)
AM trips = 91 PM trips = 123

"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 development above existing conditions and required mitigations."

SCHOOLS

8 Elementary 6 Middle 5 High

Schools Over/Under Capacity

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

Planned School Capital Improvements:

| Location | Project | Projected Date |
|-----------------|----------------|-----------------------|
| Hillwood High | Renovation | FY07-08 |



Project No.
Associated Case

Zone Change 2004Z-025U-10
Urban Design Overlay 2004UD-001U-10

Council Bill
Council District
Requested by

31st Avenue/Long Boulevard UDO with Guidelines
To be filed 1/27/04
21 - Whitmore
Councilman Whitmore

Staff Reviewer
Staff Recommendation

Covington
Approve. The ORI, MUL, and RM40 zoning proposed will implement the proposed UDO design concept plan in conjunction with the proposed UDO guidelines.

APPLICANT REQUEST

Rezone from office (OG), office and residential (OR20), and multi-family residential (RM40 and RM20) to Office Residential Intense (ORI) (3.27 acres), Mixed Use Limited (MUL) (2.99 acres) and multi-family residential (RM40) (30.51 acres) for various properties between 29th Avenue North and I-440 and between Fairmont Place, Hillcrest Place, West End Circle, Hedrick Street, Poston Avenue and Parthenon Avenue.

Existing Zoning
OG district

OG zoning permits office uses at 1.5 floor area ratio. Current zoning permits a theoretical maximum of 13,721 square feet of office space.

OR20 district

OR20 zoning permits multi-family dwellings at 20 units per acre or office space at .8 floor area ratio. Current zoning permits a theoretical maximum of six dwellings or 11,151 square feet of office space.

RM40 district

RM40 zoning permits multi-family dwellings at 40 units per acre. Current zoning permits a theoretical maximum of 266 dwellings.

RM20 district

RM20 zoning permits multi-family dwellings at 20 units per acre. Current zoning permits a theoretical maximum of 675 dwellings.

Proposed Zoning
ORI district

ORI zoning permits residential dwellings or office space at 3.0 floor area ratio. Theoretically at this ratio, 427,324 square feet of floor space could be developed for residential, office, or a combination of these uses.



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MUL district

MUL zoning permits a mixture of commercial, office and residential uses at a floor area ratio of 1.0. Theoretically at this ratio, 130,244 square feet of floor space could be developed for retail, restaurant and other commercial, or office, or residential, or some combination of any of these uses. Commercial uses have floor space limitations per establishment for retail uses.

RM40 district

RM40 zoning permits multi-family dwellings at 40 dwellings per acre. Dwelling units at 40 units per acre on 30.51 acres of RM40 zoning would theoretically yield up to 1,220 dwelling units.

SUBAREA 10 PLAN POLICY

10 Amendment.

See staff report for Subarea

Policy Conflict

No. Amendment to Subarea 10 Plan. If the amendment to the Subarea 10 Plan is approved then there will be no policy conflict.

RECENT REZONINGS

None.

TRAFFIC

Traffic Study Submitted

None. Traffic impact studies may be required for individual projects and the approved findings incorporated into any final development plans.

Public Works' Recommendation

Approve. Staff has worked with Public Works and other Metro agencies throughout this process. Public Works has reviewed the proposed urban design overlay plan and recommended changes that have been incorporated into the plan.



Project No.

Urban Design Overlay 2004UD-001U-10
31st Avenue/Long Boulevard UDO and Guidelines

Associated Case
Council Bill
Council District
Requested by

Zone Change 2004Z-025U-10
To be filed on 1/27/04
21 - Whitmore
Councilman Whitmore

Staff Reviewer
Staff Recommendation

Covington
Approve. This proposal is the outcome of an extensive charrette process involving property owners, residents, members of the development community and the district councilmember working with a Planning Department design team in consultation with a real estate economics expert and various Metro departments. The UDO is intended to enable the development of a pedestrian-friendly, urban neighborhood. The concept plan and associated design standards allow for an appropriate mix of compatible uses consistent with location and amenity characteristics of the area including the West End Corridor, as well as an appropriate mix of building types that work together to create a harmonious streetscape.

APPLICANT REQUEST

Apply an Urban Design Overlay (UDO) district to various properties located between 29th Avenue North and I-440 and between Fairmont Place, Hillcrest Place, West End Circle, Hedrick Street, and Poston Avenue and Parthenon Avenue.

SUBAREA 10 POLICY

See Zone Change 2004Z-025U-10 and Staff Report for Subarea 10 Plan Amendment

Policy Conflict

No. If the amendment to the Subarea 10 Plan is approved then there will be no policy conflict.

TRAFFIC

Traffic Study Submitted

None. Traffic impact studies may be required for individual projects and the approved findings incorporated into any final development plans.

Public Works' Recommendation

Approve. Staff has worked with Public Works and other Metro agencies throughout this process. Public Works has reviewed the proposed urban design overlay plan and recommended changes that have been incorporated into the plan.



Project No.
Project Name
Associated Cases
Council District
Requested By

[Subdivision 2004S-013G-14](#)
Summit Woods
2000S-051G-14, Rock Crest Subdivision
12 - Gotto
James Sean Sadler, owner/developer, James + Associates, engineer

Staff Reviewer
Staff Recommendation

Fuller
Disapprove due to inadequate site distance at project entrance on Tulip Grove Road.

APPLICANT REQUEST
Preliminary Plat

Request to subdivide 10.09 acres into 25 lots.

ZONING
RS15 District

RS15 district, requiring a minimum lot size of 15,000 square feet and permits single-family lots.

SUBDIVISION DETAILS

A subdivision of similar design, called Rockcrest, was approved on this property October 26, 2000. It expired in October of 2002.

The plat of Cole’s Retreat, the end of the Wonderland Pass cul-de-sac to the south, which blocked any access to Wonderland Pass, was approved on May 10, 2001. At the time, staff felt that the road in the Rock Crest Subdivision would continue through to allow for the development of Parcel 161 to the south. This applicant feels that it is more appropriate to provide a stub street to the north of the property, into an area that will allow for connections into subdivisions to the north as development occurs. Additionally, the applicant has noted that a connection to the south would cross drainage ditch and require a culvert and would not facilitate the connection of traffic routes.

CLUSTER LOT OPTION

Under the proposed cluster lot option, lot sizes can be reduced up to two zoning districts (7,500 square feet) with the installation of landscape buffer yards along the perimeter of the site where the proposed lots are less than 15,000 square feet.

The plan proposes lots that range in size from 10,040 to 14,358 square feet.



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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 22% (2.28 acres) open space.

PUBLIC WORKS

Based upon a letter from the developer's engineer and a site visit, the Public Works Department does not believe that adequate sight-distance exists at Tulip Grove Road to allow this development with a connection to Tulip Grove Road. This project should be deferred indefinitely until Tulip Grove Road is improved or access is provided through developments on adjoining properties. If the applicant does not agree to defer the proposal, then staff recommends that the Commission disapprove this subdivision application.



Project No.
Project Name
Associated Case
Staff Reviewer
Council District
Requested By

Subdivision 2004S-014G-06
Collins Crest Subdivision
None
Leeman
35 (Tygard)
French River Development Company, LLC, owner, and
Joseph G. Petrosky Associates, LLC, engineer

Staff Recommendation

Approve with conditions, including the construction of sidewalks along Collins Road.

APPLICANT REQUEST

Preliminary Plat

Subdivide 4.7 acres into 17 single-family lots, along the north side of Collins Road, west of Old Harding Pike.

Existing Zoning
RS10 district

RS10 district requires a minimum lot size of 10,000 square feet and a maximum density of 3.7 dwelling units per acre. The zoning on this property allows a maximum of 17 single-family lots.

Zoning History

This property was rezoned to RS10 in October of 2002 (Council Bill BL2002-1144). The Planning Commission recommended approval.

Cluster Lot Option

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification or RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots). The proposed lots range in size from 7,500 square feet to 9,400 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. This plan complies with this requirement by including a total of 0.70 acres (15%) of open space.

SUBDIVISION DETAILS

Access

Access is proposed from Collins Road, which is a collector road on the Major Street Plan. The applicant has indicated that access is not possible from Collinswood Drive since there is a small strip of open space that is part of the Poplar Creek Estates subdivision to the north. The applicant has also indicated that the Poplar Creek Homeowner's



Metro Planning Commission Meeting of 1/8/04

Double-Frontage Lots

Association will not allow a road through this open space area.

The Subdivision Regulations discourage double-frontage lots, except along collector roads to minimize direct access points on the collector road. The Zoning Ordinance requires lots facing two streets to provide a buffer at the rear of the lots to buffer the back of the homes from the street. A 20-foot wide "C" landscape buffer is provided between Collins Road and the proposed double-frontage lots, as per the Zoning Ordinance requirements.

Variance(s)
Sidewalk

The applicant is requesting a sidewalk variance for 655 feet of sidewalk along the frontage of the proposed subdivision on Collins Road.

The applicant's stated reason for the variance is because the surrounding area within a 0.25 mile radius is developed without sidewalks and the installation of a sidewalk would not be contiguous, and because: "The installation of the sidewalk within the Collins Road right-of-way would undoubtedly have to be demolished if Collins Road were ever upgraded to collector standards in consideration of vertical alignment."

Street offset

The plan provides a 215 foot offset between the new cul-de-sac and Collinswood Drive. Although the Subdivision Regulations require a 300-foot separation for offset T-intersections, there is no minimum separation requirement for roads on the same side of the street.

Public Works Recommendation

"Collins Road is effectively a one-lane road, and currently has 12 feet of pavement. The requirement to include sidewalks in this subdivision will necessitate widening Collins Road to meet the minimum standards of ST-251, with 23 feet of pavement, and a curb & gutter section on the developer's side of Collins Road. If Collins Road is to be developed into a collector road, then the ST-253 section should be used. Half of the required pavement should be done on the developer's side of Collins Road.

Considering that this is a relatively small development (17 lots) with approximately 750 feet of road frontage, there is no obvious path concerning the amount of improvements justified by this development.



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[Public Works] would recommend the following:

1. Dedicate 30 feet of right-of-way from the centerline as allowed by our regulations. This is consistent with the rest of Collins Road.
2. Add sufficient pavement with taper (approximately one eleven-foot lane on the Collins Crest side) on Collins Road to meet the minimum 23-ft pavement width of ST-251. If Collins Road is to be widened in the future to a collector road, then the future widening should be on the opposite side from Collins Crest.
3. Add ST-200 curb & gutter to the side of the new pavement with ST-210 sidewalk.
4. Public Works' approval of this plat is subject to review and approval of construction plans for this project.
5. The median on Collins Crest Court must not exceed 75 feet in length from Collins Road, or the 90 degree curve should meet the 110 foot required turning radius from the Subdivision Regulations.

CONDITIONS

Approve subject to a revised plan including sidewalks along Collins Road, and addressing Public Works recommendations above.

Although this road is designated as a collector street on the Major Street Plan, there is insufficient right-of-way on the opposite side of the street to build this as an ST-253 (collector) that is in alignment. Therefore, it should be upgraded on the development side to the ST-251 standard, as per Public Works recommendation. This will allow these improvements to be made in the proper location without the need to tear out improvements at a later date when the right-of-way on the opposite side of the street is acquired.



| | |
|-----------------------------|-----------------------------------------------------|
| Project No. | <u>Subdivision 2004S-015G-12</u> |
| Project Name | Third Addition to Indian Creek |
| Associated Cases | None |
| Council District | 31 - Toler |
| Requested By | Hurley-Y, owner/developer, Anderson-Delk, engineer. |
| Staff Reviewer | Fuller |
| Staff Recommendation | <i>Approve with conditions</i> |

| | |
|--------------------------|-------------------------------------------------------------------------------------------------------------------|
| APPLICANT REQUEST | |
| Preliminary Plat | Subdivide 7.22 acres into a 21-lot cluster lot subdivision, at a proposed density of 2.9 dwelling units per acre. |

| | |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| ZONING | |
| RS10 District | <u>RS10</u> district, requiring a minimum lot size of 10,000 square feet and permits a maximum of 26 single-family lots on this property. |

| | |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLUSTER LOT OPTION | <p>Under the proposed cluster lot option, lot sizes can be reduced up to two zoning districts (5,000 square feet) with the installation of landscape buffer yards along the perimeter of the site where the proposed lots are less than 10,000 square feet.</p> <p>The plan proposes lots that range in size from 6,508 to 9,043 square feet.</p> <p>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 36.6% (2.65 acres) of open space.</p> |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SUBDIVISION DETAILS | The subdivision gains access through a collector street (Calderwood Drive) that originates in the Indian Creek PUD. At some time in the future this collector street will continue north to connect with Old Hickory Boulevard. As with other developments in the area, access to Culbertson Road is restricted. |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PUBLIC WORKS | <p>Conditions of approval are consistent with previous recommendations in the area:</p> <ol style="list-style-type: none"> 1. There will be no access to Culbertson Road 2. Install a 12 ft. left turn lane with 75 ft. of storage and transition per AASHTO standards on Old Hickory Boulevard at Broken Bow Drive. |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



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3. Approval is subject to construction plan approval.
4. Comply with any required traffic conditions of the Indian Creek P.U.D. since this subdivision is sole access is through this PUD.

CONDITIONS

1. There will be no access to Culbertson Road until it improved to Collector Street standards.



Project No.
Project Name
Associated Cases
Council District
Requested By

Subdivision 2004S-016U-05
Addition to Barnes Cove
None
31 - Toler
Greystone Properties, owner/developer, Anderson-Delk & Associates, engineer

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

This is a request to extend the Planning Commission approval of January 24, 2002, for one additional year:

1. Approval subject to the following traffic related improvements associated with the Barnes Cove preliminary plan approval:
 - a. A westbound left-turn lane into the subdivision on Barnes Road;
 - b. Clearing of trees and brush within the right-of-way for better sight distances at the project entrance on Barnes Road; and
 - c. The proposed project access on to Barnes Road should be designed to provide two exiting lanes and one entering lane.
2. Metro Stormwater Appeal Committee must approve the blue-line stream crossing prior to final plat approval for the area south of lots 103 and 41 or north of and including lots 92 and 81 up to lots 103 and 41.
3. Final plats shall be submitted in sections to avoid platting the area affected by the stream prior to Stormwater Committee Approval.
4. A demolition bond for removal of the existing home on the property, prior to any final plat recordation.

ZONING
RS10 District

RS10 district, requiring a minimum lot size of 10,000 square feet. The proposal is for 105 lots on 44.61 acres at a proposed density of 2.35 dwelling units per acre. A typical subdivision on 45 acres and classified within the RS10 district would allow 165 dwelling units.



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

The plan proposes lots that range in size from 6,522 to 13,747 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 37.4% (16.7 acres) of open space.

SUBDIVISION DETAILS

This proposed subdivision has six stub-streets to adjacent properties, and two of them are associated with a collector road, which has 60 feet of right-of-way. A local collector with fifty feet of right-of-way is also being proposed with this subdivision that will connect to Barnes Road in the future. This will provide a third access to Barnes Road from this subdivision as well as the Barnes Cove subdivision.

PUBLIC WORKS

No additional comments were received prior to Staff Report Mail out.

STORMWATER

Since this preliminary approval was granted in January of 2002, the Stormwater Management Staff has begun a policy of requiring that appeals for stream crossings be obtained prior to Planning Commission approval. They also desire a State of Tennessee determination of whether the possible detention pond located within Open Space "E" is a wet weather conveyance and all necessary approvals to use this pond for detention and water quality. The applicant understands that they do not have an approval from the Stormwater Management Staff and that these items must be addressed prior to grading plan approval and the determination of these items may affect the final design of the subdivision.

EXTENSION OF APPROVAL (Subdivision Regulations 3-3.5)

A preliminary plat approval may be extended for 1 year if the Planning Commission deems that appropriate progress has been made in developing the subdivision. Although no progress has been made on the Addition to Barnes Cove, the developer feels he qualifies for the extension because the approvals for Barnes Cove and the Addition to Barnes Cove are tied together. Staff agrees that adequate progress has been



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made in Barnes Cove and that a case can be made for treating the two subdivisions as one.



Project No.
Project Name
Associated Cases
Council District
Requested By

Subdivision 2004S-017U-05
Cumberland Meadows
None
7 - Cole
Big Development, owner/developer, Dale & Associates, engineer

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions including the construction of a sidewalk along Eastland Avenue, a variance for maximum length of a cul-de-sac and lot comparability for 3 lots fronting on Eastland Avenue.

APPLICANT REQUEST
Preliminary Plat

Request to subdivide 17.92 acres into 21 lots with 4 acres of open space at a density of 1.23 units per acre.

ZONING
R10 District

R10 district, requiring a minimum lot size of 10,000 square feet and permits single family and duplex lots. No lots have been identified as duplex lots.

SUBDIVISION DETAILS

This subdivision is encumbered with 11.56 acres of floodplain at the rear of the site. The area of the floodplain to remain undisturbed is 6.12 acres (53%). The site also has some areas of steep topography. Sixteen lots in the proposal are labeled as critical because of steep topography.

*Lot Comparability Waiver
(2-4.7)*

The 3 lots fronting on Eastland Avenue pass lot comparability for minimum area but not for minimum frontage. The minimum lot frontage allowed by the study is 91 feet. The frontages of the three lots are 87.87 ft, 86.19 ft. and 75.01 ft.

Staff Recommendation

Approve lot comparability waiver. The lots are located in RLM policy and meet the specified density of 2-4 dwelling units per acre with 3 dwelling units per acre proposed. This qualifies for one of the exceptions that would allow the Planning Commission to grant a waiver to the lot comparability requirements. Additionally, there are townhouses on zero-lot line parcels immediately to the east of the proposed lots. The proposed lots would serve as a transition between these townhouses and the single-family homes.



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Sidewalk Variance (2-6.1)

The applicant has requested a sidewalk variance for the frontage of the 3 lots on Eastland Avenue. The applicant has stated that because of the ditch section and poor topography on Eastland Avenue, excessive fill material will be required to place a sidewalk and that will cause a lack of slope of the road bed and the potential to cause ponding of stormwater on the roadway.

Sidewalk Constructability

No topographic issues were observed that would prevent the construction of a sidewalk.

Staff Recommendation

Disapprove sidewalk variance along Eastland Avenue. Although the sidewalk may require fill material, there is no unique condition on this property as required for approval of a sidewalk variance.

Maximum Length of Street Turnaround (2-6.2.1.G)

The maximum length of a street with a turnaround is 750 feet. The applicant proposes extending the existing Beth Drive to approximately 1,000 feet.

Staff Recommendation

Approve. Public Works has indicated that they will accept a street with a maximum of 1,000 feet. It is not feasible to bring a new road off of Eastland Avenue due to topographic constraints and the property backs up to floodplain and an airfield that would not allow connections from the east.

PUBLIC WORKS

No exceptions taken. Subject to construction plan approval.



Project No.
Project Name
Associated Cases
Council District
Requested By

[Subdivision 2004S-021U-13](#)
Mark Marshall One Subdivision
 2004Z-005U-13, 2004Z-017U-13 and 2004Z-018U-13
 29 - Wilhoite
 Mark Marshall, owner, Garry Batson, Batson & Associates Engineering, Inc., Engineer

Staff Reviewer
Staff Recommendation

Scott
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Subdivide 7.62 acres into 16 lots, (4 commercial and 12 residential), at a proposed density of 4.29 dwellings units per acre, located at the southeast corner of Murfreesboro Pike and Edge-O-Lake Drive.

ZONING
R8 District

R8 district, requiring a minimum lot size of 8,000 square feet and is intended for single-family and duplex dwellings at an overall density of 4.63 dwelling units per acre.

R10 District

R10 district, requiring a minimum lot size of 10,000 square feet and is intended for single-family and duplex dwellings at an overall density of 3.71 dwelling units per acre.

MUL District

MUL district, intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

SUBDIVISION DETAILS

This preliminary plan includes commercial and residential lots. This plan is dependant upon the approval of three zone changes, two of which are scheduled for the January 22, 2004 Planning Commission meeting. With out these zone changes, this plan is invalid and does not conform to the Zoning Ordinance. However, since this is only a preliminary plat, no final plats will be recorded unless the zone changes are approved by the Metro Council.

Street Connectivity

Subdivision Regulation 2-6.2.2.D.3 states, "Minor local streets shall be laid out...to provide for the efficient dispersal of internal traffic while discouraging high volumes of through traffic..." Subdivision Regulation 2-6.2.2.D.4 states, "The use of an interconnected street system shall be encouraged to broadly disperse internal traffic and provide maximum alternatives for access to property for both public and private movement. The



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Subdivision Regulations also discourage the use of cul-de-sacs, except when topographic conditions or configuration of property boundaries prevent connections, and require streets to be extended to the property boundary line.

Staff met with the owner of this subdivision on December 22, 2003, to discuss a requirement to connect the two sections of Lake Villa Drive. This connection was always intended as evidenced by the same name used for both sections of Lake Villa Drive and by the platted street right-of-way that includes a corner radii at the intersection of Willowbranch Drive and Lake Villa Drive.

The owner expressed concern regarding the connection because of prior promises made to the surrounding neighborhood. Staff may not require this connection if the applicant provides a comprehensive plan for this subdivision and the adjacent property, also owned by Mr. Marshall, but to date no plan has been provided to staff. The requirement to connect the two sections of Lake Villa Drive will remain in effect, with Stormwater approval, dependant on the comprehensive design. Staff recommends this connection be made since no overall plan has been submitted.

There is an existing "blue pond" that is considered a water of the state located in the path where the road would connect. The current plan proposes two single-family lots over this pond. Stormwater is requiring a letter from the Tennessee Department of Environment and Conservation (TDEC) that de-classifies this pond as a wet weather conveyance before they will allow any development of this area. If a letter is not issued, then the area recognized as water of the state must be located in an area labeled as "open space." Staff will consider an alternative design if this pond is not de-classified.

Pedestrian Easement

The Subdivision Regulations allow a pedestrian access easement to be required "to facilitate pedestrian access from streets to existing or planned schools, museums, parks, greenways, playgrounds, or other nearby community facilities, major shopping malls, or commercial amusement activities..." (2-6.2.1.G). Staff recommends that the Commission require a 10' wide public pedestrian access easement be located between



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STORMWATER

lots R-6 and R-7 to allow pedestrian travel to the commercial developments on Murfreesboro Road.

The Stormwater Management Division of Metro Water Services requires a letter from the Tennessee Department of Environment and Conservation that declassifies a pond on this property as a wet weather conveyance prior to grading plan approval.

WATER SERVICES

Water Services requires a letter of availability. This request was recently received by Water Services.

TRAFFIC ENGINEER'S FINDINGS

A traffic impact study was required and has been submitted. Approval is subject to construction plan approval.

CONDITIONS

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

1. Metro Council approval of Zone Changes 2004Z-005U-13, 2004Z-017U-13 and 2004Z-18U-13.
2. Approvals from Metro Stormwater, Public Works and Water Services are obtained for the preliminary plan as presented. Changes to the proposed preliminary plan will require the submission of a revised preliminary plan to be approved by the Planning Commission and other reviewing agencies.
3. A corrected preliminary plan must be submitted prior to the Planning Commission meeting correcting the number of lots from 10 to 16, clearly showing the existing zone districts and their boundaries, removing the setback lines from the plan, adding R10 to the property zoning under site data, correcting the square footage of lot R-11, adding a border to clearly define the boundary of this preliminary subdivision and providing proof of ownership for the property at 2526 Murfreesboro Pike.
4. Must submit a new preliminary plan that shows the Metro Council approved zone districts once approved.



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5. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
6. A final plat shall not be recorded until the above referenced zone changes are enacted.
7. The revised preliminary plat showing the road connection of Lake Villa Drive, or a complete plan showing alternative connectivity including connectivity to Murfreesboro Pike must be submitted prior to the submission of a final plat.
8. The Stormwater Management Division of Metro Water Services requires a letter from the Tennessee Department of Environment and Conservation that declassifies a pond on this property as a wet weather conveyance prior to grading plan approval.



Project No.

[Urban Design Overlay Proposal](#)

**Council Bill
Council District
Requested By**

2001UD-001G-12 Lenox Village Phase 5
None
31 - Toler
Anderson – Delk & Associates, Inc., applicant, for
McGowan Family Limited Partnership, owner

**Staff Reviewer
Staff Recommendation**

Fawcett / Mitchell
*Approve Phase 5 which is consistent with the UDO
design concept plan.*

APPLICANT REQUEST

Approval of final PUD plan for Phase 5 in order to permit development of 22 townhouses, 10 single-family rear access homes, 9 single-family street access homes, 17 live/work or townhouses, and 4 live/work or single-family rear access homes, on a total of 17.47 acres.

TRAFFIC

Traffic Study Submitted

No – none required

**Metro Traffic Engineer’s
Findings**

No Exception Taken

STAFF ANALYSIS

The UDO concept plan calls for Phase 5 to connect from the south via Sunnywood Drive and the Sugar Valley subdivision located further south. Phase 5 extends Sunnywood Drive to connect with Phase 1, but also provides for a circular street, zoned MUL, to loop off and back on to Sunnywood Drive. This loop street proposes live/work uses to be provided in this small mixed-use node in the far southern portion of the UDO. In addition, an open space area is provided in the center of the MUL area to provide some recreational space in the center of the live/work area.



| | |
|-----------------------------|------------------------------------------------------------------|
| Project No. | <u>Planned Unit Development 28-79-G-13</u> |
| Project Name | Hickory Highlands PUD |
| Council Bill | None |
| Council District | 28 - Alexander |
| Associated Case | None |
| Requested By | Dale & Associates, applicant, for J.E. Stevenson, Trustee, owner |
| | |
| Staff Reviewer | Mitchell |
| Staff Recommendation | <i>Approve with conditions</i> |

APPLICANT REQUEST

Final PUD

Request for final PUD approval for a portion of the Hickory Highlands Residential PUD to allow for the development of 47 single-family homes and 26 townhomes on 21.45 acres of the 42.67-acre parcel 228. The PUD property is located north of Rural Hill Road and east of Moss Road.

PLAN DETAILS

The proposed final PUD plan is consistent with the preliminary PUD plan, which was amended by Metro Council in 2003.

It should be noted that a connection to the Hickory Highlands Place subdivision is being provided from the PUD to parcel 30 of the conventional subdivision. The preliminary plat of Hickory Highlands Place, Section 4, received the following conditional approval: The developer would be able to reclaim a single-family lot if a 0.30-acre portion of the new collector road, extending north from Rural Hill Road, is constructed and connected to the subdivision. The reclaiming of the single-family lot would be available once the Hickory Highlands PUD continued construction of the collector road and provided the connection to Highland Ridge Drive, which is located further north into the PUD from Rural Hill Road.

METRO PUBLIC WORKS' FINDINGS

The traffic engineer requested that the construction plans for the widening of Rural Hill Road be submitted for review and approval by Metro Public Works. Pursuant to conversations with the applicant, these plans have been submitted and are still under review by



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Metro Public Works. The construction plans will be bonded with the final plat.

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
Associated Case

Planned Unit Development 61-84-G-06
Kroger Southeast Shopping Center PUD
None
35 - Tygard
CEI Engineering, applicant, for Kroger LPI, owner
None

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions

APPLICANT REQUEST
Revise Preliminary & Final PUD

Request for Revision to Preliminary and for Final PUD approval for the Kroger Southeast Shopping Center Commercial PUD to allow for the development of a fueling station without a convenience market and a pharmacy drive-through. The property is located in the southeast corner of Old Hickory Boulevard and Highway 70 South.

PLAN DETAILS

Parking Space Removal

The plan proposes a fueling station to be located in the northwest corner of the site utilizing the existing access points off of either Highway 70S, in the middle of the development, or off of Old Hickory Boulevard. The pharmacy drive-through is proposed within one of the parking aisles and would replace approximately 10 parking spaces; however, the drive-through does not encroach into the 24-foot drive aisle.

The proposed uses, which directly impact the existing parking configuration, do not remove more spaces than are required for this PUD per the Metro Code. The existing number of spaces is 643. With the addition of the two uses, the required number of spaces for the shopping center would be 579. After construction of the new uses, the number of provided spaces would still be above the minimum number required by providing 598. Staff is recommending that the developer remove the proposed five parallel spaces located just east of the proposed fueling station. In lieu of these parallel spaces, staff recommends that a landscape island be installed and additional plantings of shrubs and ground cover be provided. If the Commission approves this recommendation, the number of provided spaces remains above the required 579 at 593.



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METRO PUBLIC WORKS' COMMENTS

“Because of the current Highway 70S and Old Hickory Boulevard intersection geometry, it is determined that a separate right-turn lane on OHB would be beneficial to handle any additional traffic. Our previous recommendation for a right-turn lane and the associated signal modification is unchanged.”

CONDITIONS

1. The developer shall remove the 5 proposed parallel parking spaces located adjacent to the fueling station. In place of the parallel spaces, a landscape island shall be installed that provides additional shrubs and ground cover.
2. A separate right-turn lane and the associated signal modifications shall be provided along Old Hickory Boulevard adjacent to the subject site.
3. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



Project No.
Project Name
Council Bill
Council District
Requested By

[Planned Unit Development 23-85-P-13](#)

Hamilton Creek Apartments

None

29 - Wilhoite

Ragan-Smith Associates, applicant, for Hamilton Church Apartments, LP, owner

BZA Case #2003-280

Associated Case

Staff Reviewer
Staff Recommendation

Mitchell

Approve with conditions, as well as recommend that the Planning Commission recommend approval of the parking variance by the Board of Zoning Appeals.

APPLICANT REQUEST
Revise Preliminary & Final PUD

Request for revision to preliminary and for Final PUD approval for the Hamilton Creek Residential PUD to allow for the development of a 120-unit apartment project on an 8.46-acre portion of the PUD. The property is located north of Hamilton Church Road and east of Murfreesboro Pike.

PLAN DETAILS

The plan proposes 120 apartment units within a total of seven buildings that are located along either side of a single private drive that extends north into the site from Hamilton Church Road. The request for revision to preliminary is due to the change of the building and parking layout, as well as the reduction in the number of Council approved units from 256 to 120 units. The connection to parcel 237, directly north of the subject site, will remain intact as originally approved with the Council approved plan. The parcel to the north, parcel 237, is the last vacant tract within the PUD and is approved for additional multi-family units.

Variance Request for Parking

The applicant has submitted an appeal to the Metro Board of Zoning Appeals (BZA) to allow for a reduction in the number of required on-site parking spaces. The development of 120 apartment units would require the provision of 216 spaces under the code, but the applicant is requesting that the variance allow for the provision of 176 spaces, a reduction of approximately 18% or 40 spaces. This item has been scheduled for a BZA hearing, however a recommendation is required by the Planning Commission since this property is located within a PUD. As part of the PUD application, a Parking



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Demand Study was submitted for review and consideration. This study is dated December 2003 and was prepared by RPM Transportation Consultants.

The study states, “Based on knowledge of other similar sites, the developer believes that an affordable housing apartment complex, like the Hamilton Creek Apartments, requires fewer parking spaces than comparable apartment complexes. The similar sites that were counted include the Hickory Manor Apartments, the Skyline Village Apartments, and the Villas and Granstaff Apartments. The Hickory Manor Apartments are located on Hamilton Church Road, just east of Bell Road. The projected parking demand for the proposed site was determined by averaging the maximum parking demand identified in the previous section for each apartment complex. The average parking demand of the existing affordable housing apartment complexes is 55%. The proposed Hamilton Creek Apartments are not located near an MTA transit route. As a result, residents of the [apartments] could have more reliance on passenger vehicles. To provide a more conservative analysis, the average parking demand was increased by 10% to allow for the heavier reliance on passenger vehicles.” To summarize the conclusions of the applicant’s Parking Demand Study: 216 required spaces times 65% equates to 140 spaces; therefore, the applicant believes that the provision of 176 spaces is well above the average parking demand for an affordable housing apartment complex in this location.

Based on the proposed site design, the provision of the private drive connection to parcel 237, and based on the parking demand study conclusions, staff recommends approval of the variance request to allow for 176 parking spaces.

METRO PUBLIC WORKS’ COMMENTS

According to the applicant’s representative, they are still working with Public Works on turn-lane design, lane taper lengths, and any other off-site improvements. Pursuant to discussions with Public Works, any minor revisions to the PUD plan would not affect the primary design or ingress/ egress points off of Hamilton Church Road. Therefore, staff believes this application can be



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considered by the Commission on the January 8th hearing date.

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. | <u>Planned Unit Development 88P-034G-06</u> |
| Project Name | Bellevue Professional Park PUD |
| Council Bill | None |
| Council District | 22 - Crafton |
| Associated Case | None |
| Requested By | Barge Cauthen & Associates, Inc., applicant, for Chester Hannah, owner |
| Staff Reviewer | Mitchell |
| Staff Recommendation | <i>Approve with conditions</i> |

APPLICANT REQUEST

Revised Preliminary & Final PUD

Request to revise the preliminary PUD plan and for final PUD approval for a portion of the Bellevue Professional Park Commercial PUD to allow for the development of a 11,900-square foot office building and an 8,500-square foot office building, for a total of 20,400 square feet, on a 1.80-acre tract in the center of the PUD. The PUD property is located in the northeast corner of Sawyer Brown Road and Highway 70S.

PLAN DETAILS

This tract within the PUD is one of several that are in the process of slowly being built-out. To date, there are two existing banks along Highway 70S as well as two existing office buildings in the far north end of the PUD.

The revised PUD plan proposes two office buildings, arranged north and south, with parking located around each building. Buffering is provided, per Metro Code standards, against the RS15 homes located along Carriage Drive. A six-foot masonry wall, which was begun with the previously mentioned PUD developments, will continue along the eastern PUD boundary. Access to this tract will be via a private drive located along Sawyer Brown Road and only allows for right-in and right-out movements.

METRO PUBLIC WORKS' FINDINGS

No Exceptions Taken

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be



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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. | <u>Planned Unit Development 97P-011G-06</u> |
| Project Name | Westchase Residential PUD |
| Council Bill | None |
| Council District | 22 - Crafton |
| Requested By | Anderson – Delk & Associates, Inc., applicant, for Tennessee Contractors Inc., owner |
| Associated Case(s) | 2004P-002G-06 and 2004Z-008G-06 |
| Staff Reviewer | Mitchell |
| Staff Recommendation | <i>Approve with conditions</i> |

APPLICANT REQUEST
Revise Preliminary

This is a request for revision to preliminary for PUD plan the Westchase Residential PUD to revise the location of 16 lots to accommodate a proposed PUD to the north. The subject property is located along the north margin of Charlotte Pike, south of Old Charlotte Pike.

PLAN DETAILS

The proposed plan calls for the relocation of 16 single-family lots to allow for an interconnected design with a proposed new PUD directly to the north. The relocation of the 16 lots does not affect the original approval of 134 single-family lots. The area to be revised is approximately 6.1 acres. Per the resubmitted PUD plans, all lots except three will be designated as Critical Lots and will require individual review pursuant to the Metro Subdivision Regulations.

METRO PUBLIC WORKS' COMMENTS

No exception taken

CONDITIONS

1. This preliminary plan approval for this portion of the master plan is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
2. If the proposed PUD to the north (2004P-002G-06) is not approved by the Metro Council, this plan will revert back to the currently approved plan.



Project No.
Project Name

Planned Unit Development 2004P-003U-10
The Basement PUD
(Beer License Distance Exemption PUD)

Council Bill
Council District
Associated Case
Requested By

None
17 - Greer
None
1604 LLC d/b/a The Basement, applicant and owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions, disapprove if the conditions are not met.

APPLICANT REQUEST
Preliminary & Final PUD

Request for preliminary and final PUD approval which is intended to allow for a distance exemption from the beer licensure requirements, for an existing bar that is located at 1604 8th Avenue South. The property is located mid-block along the east margin of 8th Avenue South between Argyle Avenue and Alloway Street.

Reason for Request

Per Metro Ordinance BL2003-1353, restaurants / bars that have already obtained a license from the Tennessee Alcoholic Beverage Commission permitting the sale of alcoholic beverages for on-premises consumption will be exempted from the minimum distance requirements for the issuance of beer permits if a Planned Unit Development is established over the subject property.

EXISTING ZONING
CS district

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

Although a restaurant / bar is a permitted use by right within the CS district, the request for a PUD will provide the Metro Council the ability to hold a public hearing and decide whether an applicant will be exempt from the distance requirements from certain uses, as required, in order to obtain a license to sell beer on premise. The PUD itself, however, is subject to ordinary review by the Commission and Planning staff.

PLAN DETAILS

The plan shows an existing building that fronts 8th Avenue South with the majority of parking located to



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the rear of the site and accessed via an existing north-south alley that runs behind those lots fronting 8th Avenue South. All handicap parking is located in front of the facility along 8th Avenue.

METRO PUBLIC WORKS' FINDINGS

No exceptions taken

RECOMMENDATION

Staff recommends conditional approval of the request to establish a PUD on the property, which is currently zoned CS district. This property is located within Subarea 10 and is designated as a Commercial Arterial Existing (CAE) land use policy. The Subarea 10 plan states that this area of CAE "is recommended for typical commercial uses found in CAE areas. Residential development is not to be discouraged; however, the primary purpose of this area is to continue to provide shopping, employment, and entrepreneurship opportunities for the surrounding community."

Staff recommends conditional approval with conditions requiring the minimum amount of information required on a PUD plan to be provided prior to any hearings before Metro Council. The applicant must submit a PUD plan that provides existing square footage of all buildings on site; provides dimensions of all sidewalks, parking stalls, parking drive aisles; provides existing setbacks; delineates and denotes any existing fencing or walls; and provides a site data table that shows that all bulk standards of the Metro Code, for the applicable base zoning, are successfully being met. If any bulk standards are not complied with, then a copy of any variances granted by the Board of Zoning Appeals (BZA) must be submitted with the revised PUD plan. Following submittal and review of the revised PUD plan by Planning staff, if the site does not meet any required bulk standard or is not legally non-conforming, then the PUD must be re-heard before the Commission prior to the public hearing at Metro Council. If these conditions are not met, then staff recommends that the Commission recommend disapproval.

CONDITIONS

1. Prior to any hearings before Metro Council, the applicant must resubmit a PUD plan that provides existing square footage of all buildings on site;



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provides dimensions of all sidewalks, parking stalls, parking drive aisles; provides existing setbacks; delineates and denotes any existing fencing or walls; and provides a site data table that shows that all bulk standards of the Metro Code, for the applicable base zoning, are successfully being met. If any bulk standards are not complied with, then a copy of any variances granted by the (BZA) must be submitted with the revised PUD plan. Following submittal and review of the revised PUD plan by M Planning staff, if the site does not meet any required bulk standard or is not legally non-conforming, then the PUD must be re-heard before the Commission prior to the public hearing at Metro Council.

2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.



| | |
|-------------------------|---------------------------------------------------------|
| Project No. | <u>Mandatory Referral 2004M-001G-14</u> |
| Project Name | Water Line Easement on Alvin Sperry Road |
| Council Bill | None |
| Council District | 12 - Gotto |
| Requested by | Metro Water and Sewerage Services |
| Staff Reviewer | Harris |

Staff Recommendation *Approve*

APPLICANT REQUEST

A request to renew a water line easement located on the north margin of Alvin Sperry Road, west of Stewarts Ferry Pike.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

Other Items

This item is recommended for approval by the Emergency Communication Center, Nashville Electric Service, and Metro Water & Sewerage Services. Planning staff supports the requested renewal of the water line easement.



Project No.
Project Name

[Mandatory Referral 2004M-002U-12](#)
Property Acquisition: Edmondson Pike/Old Hickory Boulevard

Council Bill
Council District
Requested By

None
27/ Foster
Metro Real Property Services

Staff Reviewer
Staff Recommendation

Reed
Approve with conditions

APPLICANT REQUEST

An ordinance authorizing the acquisition of property by negotiation or condemnation for the addition of a turn lane to be added just North of the intersection at Edmondson Pike/Old Hickory Boulevard.

DEPARTMENT AND AGENCY COMMENTS

NES has facilities in the proposed site location. NES may need additional right-of-way in order to relocate due to the portion of Edmondson Pike that is to be widened.

RECOMMENDATION

Approve with conditions: 1) Construction plans shall be submitted to NES for review.

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



**Project No.
Project Name**

[Mandatory Referral 2004M-003G-02](#)
**Sewer Easement Acquisition on Nolensville
Pike**

**Council Bill
Requested by**

None
Metro Water and Sewerage Services

**Staff Reviewer
Staff Recommendation**

Harris
Approve

APPLICANT REQUEST

A request for a sewer easement acquisition for Metro Water Services Project No. 98-SG-13, located on the west margin of Nolensville Pike, north of the intersection of Burkitt Road, requested by the Metropolitan Department of Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

**DEPARTMENT AND AGENCY
RECOMMENDATIONS**

This item is recommended for approval by the Emergency Communications Center, Nashville Electric Service, and Metro Water & Sewerage Services.

Other Items

There is an Interlocal Agreement between Metro and Williamson County relinquishing sewer service to Metro. This agreement was approved by Council (BL2001-785) establishing this agreement and the parcels associated with these parcels. This request is to add a parcel necessary for sewer expansion in this area. Planning staff supports the requested sewer easement acquisition.



| | |
|-----------------------------|---------------------------------------------------------|
| Project No. | <u>Mandatory Referral 2004M-004U-05</u> |
| Project Name | Close Portion of Strouse Avenue |
| Council Bill | None |
| Council District | 5 - Murray |
| Requested By | Coburn Dewees Berry, IV, owner representative |
| Staff Reviewer | Scott |
| Staff Recommendation | <i>Disapprove</i> |

APPLICANT REQUEST

A request to close a portion of Strouse Avenue to promote public safety for students walking back and forth between college buildings, located between Gallatin Avenue and Trevecca Avenue, requested by Coburn Dewees Berry, IV, representative for the adjacent property owners, Nashville Auto Diesel College.

APPLICATION REQUIREMENTS

| | |
|----------------------------------------------------|------------|
| <i>Application properly completed and signed?</i> | <i>Yes</i> |
| <i>Abutting property owners' sign application?</i> | <i>Yes</i> |

DEPARTMENT AND AGENCY COMMENTS

The right-of-way for this portion of Strouse Avenue is a built public right-of-way with sidewalks along a portion of one side of the Avenue. Strouse Avenue is approximately one half mile in length and is located between Gallatin Avenue and Inga Street.

Public Works recommends disapproval of this request. Strouse Avenue is a fully improved public right-of-way that serves both the adjacent landowners and neighborhood by providing an additional connection to Gallatin Avenue.

Planning staff recommends disapproval of this request. This portion of Strouse Avenue is part of a properly functioning interconnected street and alley system that serves not only the College, but also the adjacent neighborhood.

Staff inquired about alternative safety measures that could be employed along this section of Strouse Avenue such as cross walks. Public Works indicated



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that this is a low traffic volume street and that it does not warrant additional safety measures at this time. However, it is still important to the overall street grid in the area. Part of the safety issue could be resolved if 90 degree parking was no longer allowed along this section of Strouse Avenue and sidewalks and curb and gutters were installed.

Should this be recommended for approval, then NES and Metro Water Services shall retain all easement rights.