



Project No.

Request to adopt the Southeast Community Plan: 2004 Update

Associated Case
Council Bill
Staff Reviewer

None
None
Wood

Staff Recommendation

Approve

REQUEST

Adopt the Southeast Community Plan: 2004 Update.

This plan replaces the Subarea 12 Plan: 1996 Update.

Public Participation

Staff met with over 700 residents, property owners, and business owners during a series of nine community workshop meetings held during March – June, 2004. Staff presented the final draft plan at a public meeting on June 8.

Highlights

Conservation of existing developed residential areas and maintenance and revitalization of existing commercial areas are important goals of the plan. Thus, land use policies for the developed portions of the community remain substantially unchanged, although in some cases the old land use policy categories used in the 1996 version have been replaced by the equivalent Structure Plan policy used in the new community planning system. An example of this would be the replacement of Major Public Open Space policy with Open Space policy. Also, old Commercial Arterial Existing and Retail Concentration Community policy areas have been changed to the newer Community Center policy.

The land use policies for undeveloped and developing portions of the community have changed somewhat more from the 1996 plan to the 2004 version. Most of these undeveloped and developing areas are in the southeastern portion of the community south of Bell Road and between Nolensville Pike and I-24. This is where most of the community's growth is expected to occur.

Although community participants largely accepted the fact that the Southeast community is and will continue to be one of the county's fastest growing areas, they still hope to preserve some of the community's rural



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character. To this end, a Rural policy area has been set aside in the southeast corner of the community near Cane Ridge Park. This area is not served by sewer, and under the policy will remain unserved.

Another difference between the 1996 plan and the current draft for this southeastern portion of the community is that several Residential Medium Density policy areas, which are located around the edges of the area in question, are recommended to be changed to Neighborhood General policy with an average density limitation of nine housing units per acre. This keeps the density of those policy areas the same as in the current plan, which community participants did not wish to see exceeded, while granting an incentive for quality design through the policy. Under Neighborhood General policy, if applicants do not submit a Planned Unit Development, Urban Design Overlay, or site plan along with their zone changes, they are limited to RS20 or RS15 zoning.

Also located around the periphery of the fast-growing southeast portion of the community are mixed use Neighborhood Center, Community Center, Neighborhood Urban, Corridor General, and Commercial Mixed Concentration policy areas that are intended to meet growth needs as well as to help provide diverse housing opportunities in appropriate locations.

The draft community plan provides recommendations for public facilities and services such as greenways, bikeways, parks, and new street connections to serve the growing community. The majority of these will be provided through the private sector as new development takes place. There will be some exceptions, such as the planned new Southeast Arterial, which will run from Nolensville Pike at Concord Road to Hobson Pike in the Antioch-Priest Lake community and will have a new interchange with I-24 between the Hickory Hollow Parkway and Old Hickory Boulevard interchanges. This roadway will be constructed at public expense.

Staff is recommending that the final draft plan be adopted with the following two changes:



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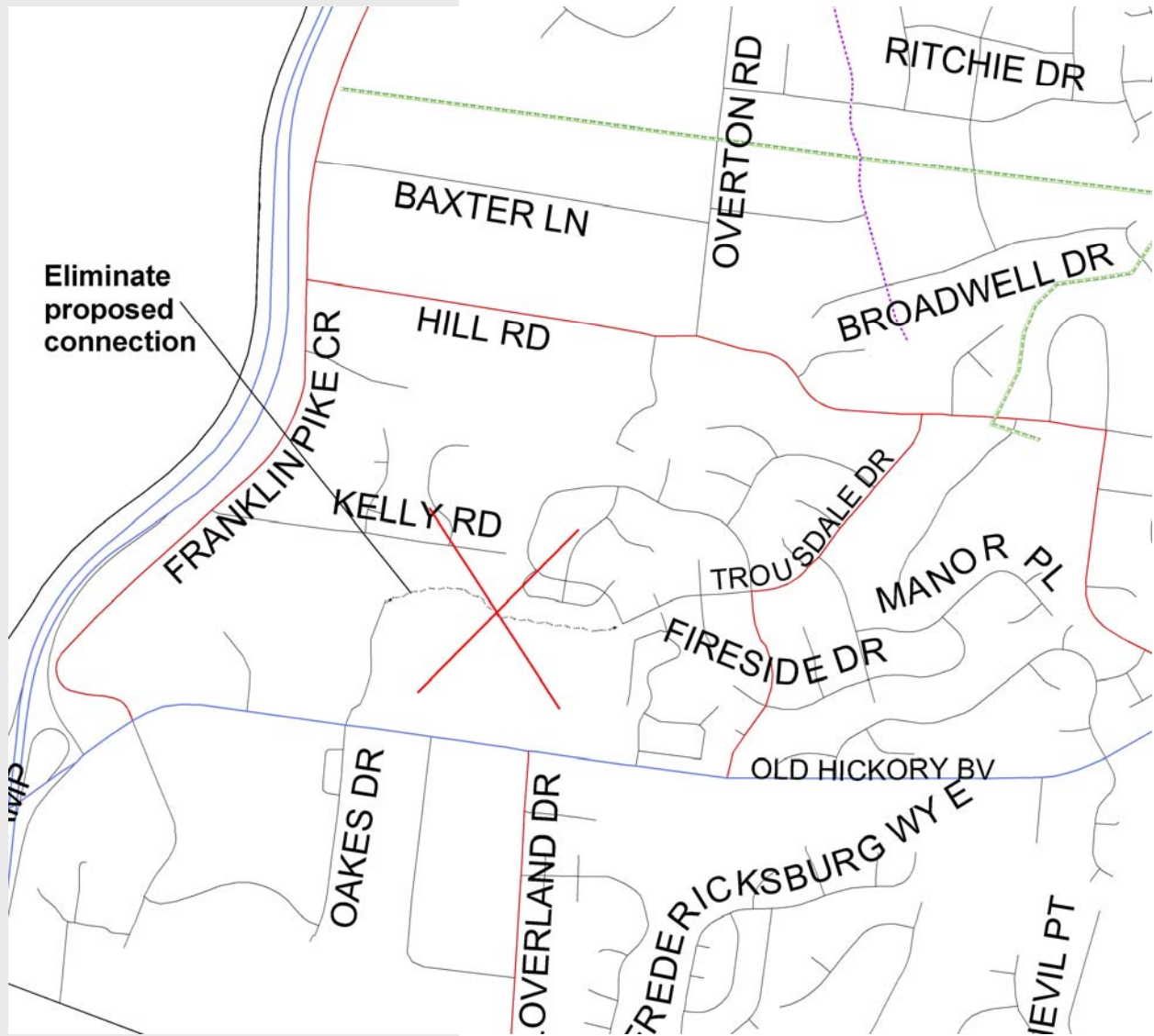
1. Elimination of proposed connection of Trousdale Drive to Old Hickory Boulevard: Staff has learned that all options for making this connection have now been eliminated because the owners of property where right-of-way would need to be acquired are unwilling to permit Trousdale to be extended through their land.
2. Change proposed collector street system involving Frontier Lane, Christiansted Lane, Mt. Pisgah Road, and proposed new connections to Holt Hills Road and Mt. Pisgah Road to a local street system. In response to local opposition to the connection of Christiansted Lane to Holt Hills Road, Bradford Hills Drive, and Mt. Pisgah Road, staff has done some additional investigation and discussion and come to the conclusion that while these remain important connections to serve this still-growing area, it would be better for the connections to be local connections rather than collectors. Christiansted Lane and Mt. Pisgah Road were built as local streets and it would be best to make the connections into them local streets as well. This would enable traffic calming measures to be employed, preferably in the original design of the new streets.

The two changes are detailed below.



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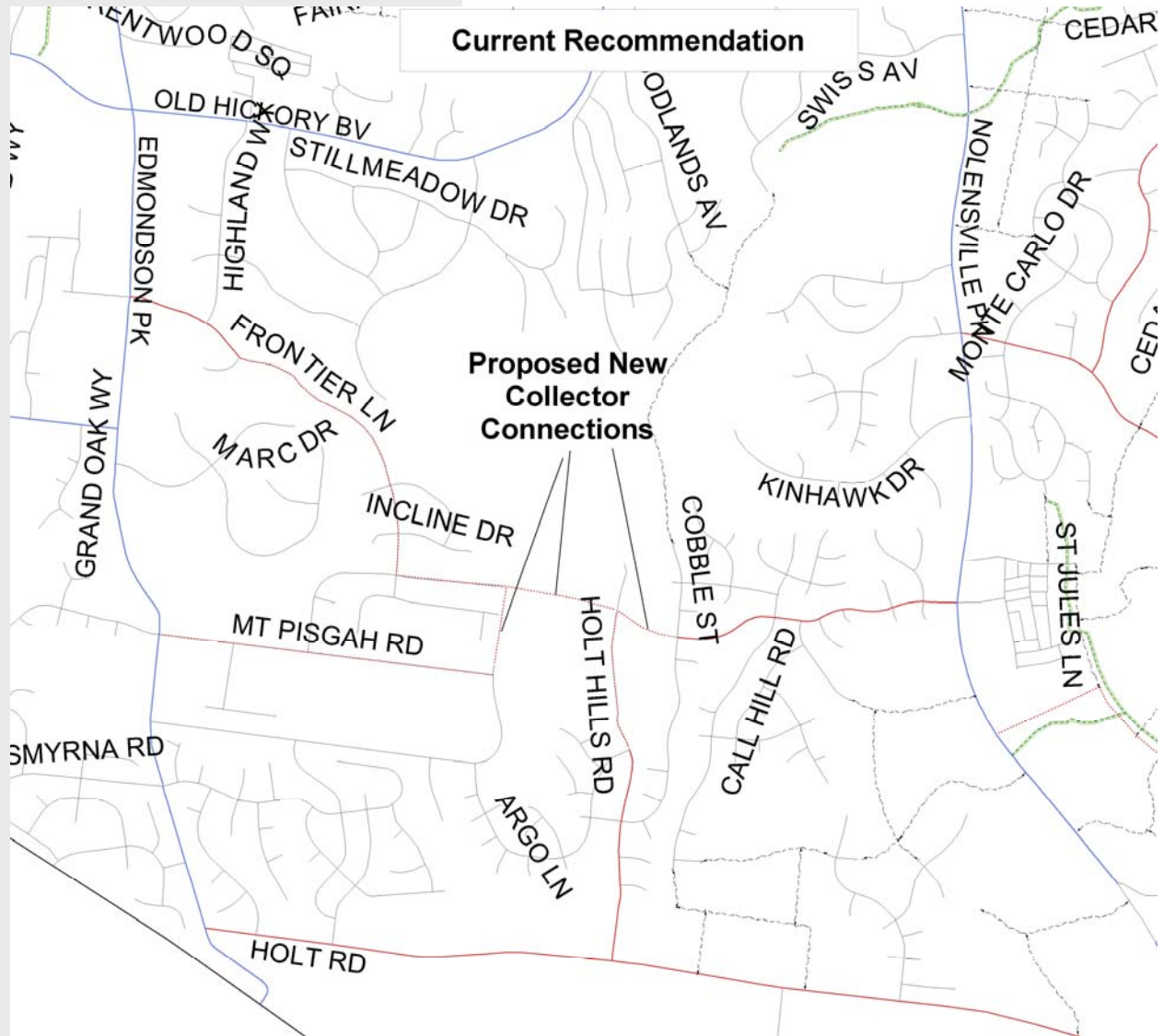
1. Trousdale Drive





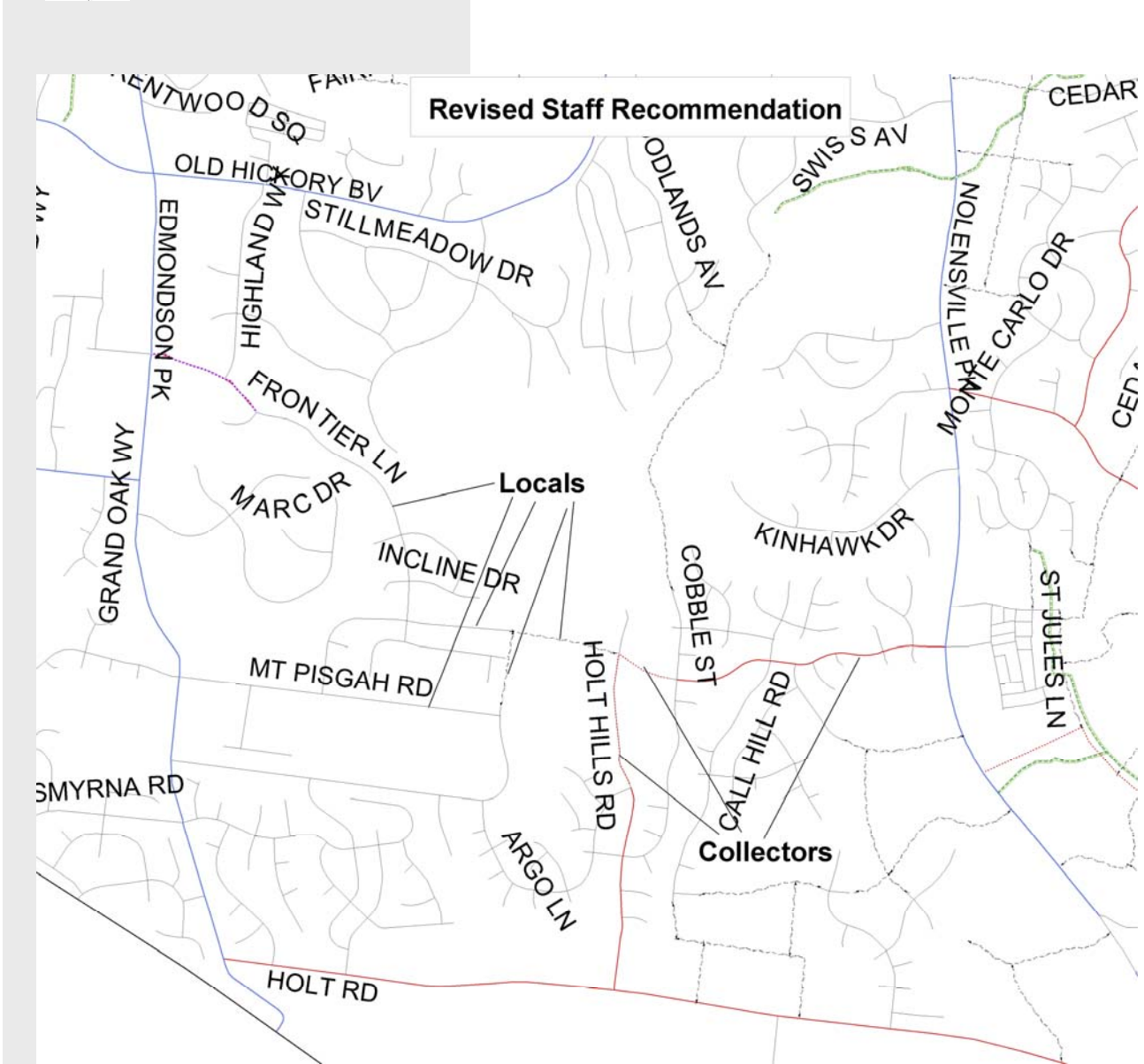
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2. Frontier Lane-Christiansted Lane-Mt. Pisgah Road to Holt Hills Road and Bradford Hills Drive:





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

Zone Change 2004Z-059G-13
None
None
32 – Coleman
6 – Awipi
Laura Digan, applicant for Randall Smith, owner.
Deferred from the July 8, 2004 Commission meeting

Staff Reviewer
Staff Recommendation

Harris
Disapprove as contrary to the General Plan

APPLICANT REQUEST

Rezone 5.15 acres from agricultural/residential (AR2a) to commercial service (CS) district property at 4046 LaVergne Couchville Pike, south of Hamilton Church 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. This AR2a district allows approximately 2 dwelling units.

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.

**ANTIOCH-PRIEST LAKE
COMMUNITY PLAN POLICY**

Neighborhood General (NG)

NG is intended to apply to existing areas that are, and are envisioned to remain, predominantly residential in character, and the emerging and future areas that are planned to be predominantly residential. NG areas include single family residential and public benefit activities. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.



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Policy Conflict

The proposed zoning district (CS) is not consistent with the NG policy, which is intended for primarily residential development. It is also not consistent with the surrounding zoning pattern in the area. This property currently has no connection to public sewer and may not meet Metro Health Department's standards for a septic field.

There is CS zoning north of this property (parcel 021) that was rezoned from AR2a in June 2002, by Council. This property also has no connection to public sewer and did not meet Metro Health Department's requirements for a septic field at the time of this rezoning. The Commission recommended disapproval as contrary to the general plan in January 2002. There is also an undeveloped commercial Planned Unit Development (Four Corners Lodge—176-73-G) to the north was approved for a motel, nightclub, and a swimming pool in 1973.

RECENT REZONINGS

Parcel 021 was rezoned from AR2a to CS in June 2002. The Planning Commission recommended disapproval in January 2002.

TRAFFIC PUBLIC WORKS RECOMMENDATION

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



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Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached(210)	5.15	0.5	3	28	3	3

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	5.15	0.188	42,175	464	65	63

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			--	+436	+62	+60

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	5.15	0.5	3	28	3	3

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	5.15	0.4*	89,733	3853	93	336

*adjusted for type of use

Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	--	--	--	+3825	+90	+333



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

Zone Change 2004Z-076G-03

None
None
3 – Hughes
3 – Garrett

Deferral

Ralph Monroe, Angel City Development Corporation, applicant for William E. Delaney, III
This item was deferred from the June 24, 2004, meeting at the request of the applicant. The applicant has since amended the application to increase the acreage requested for rezoning from 48 acres to 60 acres.

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 60 acres from residential single-family (RS20) to residential single-family (RS10) district at 3512 Knight Drive.

Existing 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. This would permit 111 total dwelling units on this site currently.

Proposed Zoning
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. This would permit 222 total dwelling units on this site currently.

**Bordeaux-Whites Creek
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 RS10 district is not consistent with the RLM policy in this area. Typically, the RLM policy allows for two to four dwelling units per acre, but the Community Plan for this Subarea includes a special policy that limits the density on this property.



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Special RLM Policy

The newly adopted Bordeaux-Whites Creek community plan includes a special policy recommending that the maximum density in this area be limited to two dwelling units per acre due to the steep slopes in the area.

RECENT REZONINGS

Yes. The Planning Commission recommended the property to the rear of this property, fronting Whites Creek Pike, for approval for RS10 with a PUD on July 8, 2004. That property falls within an RLM policy area with no special policy.

TRAFFIC PUBLIC WORKS RECOMMENDATION

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

Typical Uses in Existing Zoning District: RS20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	60	1.85	111	1,062	--	--

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	60	3.7	222	2,125	--	--

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

Land Use (ITE Code)	Acres	--	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
		+1.85	+111	+1,062	--	--

METRO SCHOOL BOARD REPORT

Projected student generation

30 Elementary 17 Middle 19 High

Schools Over/Under Capacity

Students would attend Alex Green Elementary School, Ewing Park Middle School, or Whites Creek High School. Ewing Park has been identified as being over



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capacity by the Metro School Board. There is capacity at a middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.



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

Subdivision 2002S-278G-13
Arbor Crest
None
33 - Bradley
6 - Awipi
Tim Turner, engineer.
Deferred from the July 8, 2004 meeting at the request of the Councilman and the applicant.

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST

This is a request to remove a condition from a subdivision previously approved by the Commission on November 14, 2002, which named Metro Water Services as the utility district for an alternative sewer system.

On April 27, 2004 Scott Potter, Director of Water Services, issued a letter indicating that since the location of the subdivision is so remote from Metro's existing infrastructure, the Water Services Department did not think it presently is fiscally feasible to provide sewer service to the area.

The applicant has contracted with Tennessee Wastewater Systems, Inc. to be the private utility provider and the State of Tennessee will be the approving agency for the permit. Metro Water Services and the Metro Health Department agree with this arrangement.

Staff recommends approval of this request. The subdivision plan is not changed in any way. All that is changed is that the entity responsible for operating the alternative sewer system is a private company instead of Metro Water Services.

To refresh the Commission's recollection as to the details of this project, the staff report from the November 14, 2002, Commission meeting has been set out below:

PRELIMINARY PLAT

Subdivide 47.56 acres into a 66-lot cluster lot subdivision, at a proposed density of 1.39 dwelling units per acre.



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ZONING

RS15 district requiring minimum lot size of 15,000 square feet.

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 15,000 sq. ft. lots) to RS7.5 (minimum 7,500 sq. ft. lots). Proposed lots range from 8,950 sq. ft. to 17,563 sq. ft.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space. The applicant successfully complies with this requirement by proposing a total of 22.5 acres (47%) of open space – which far exceeds the minimum open space acreage required.

SUBDIVISION DETAILS**Alternative Sewerage**

The Arbor Crest Subdivision will be served by a sand filter and drip irrigation system that will treat sewage generated by each home in a common subsurface sewage disposal system. Sewage is treated in a two-compartment airtight septic tank and then sent to a large sand filter for further treatment. The treated effluent is then pumped to drip irrigation fields in which drip lines distribute effluent at relatively shallow depths (6”) into the soil for disposal.

Metro Water Services has stated that when the system functions as designed there will be little if any impact on the Long Hunter State Park. This system is preferable to a conventional septic tank system in that the effluent is treated prior to discharge into the ground.

TRAFFIC**Traffic Study Submitted**

None required.

Traffic Engineer's Recommendation

The existing section of Bakers Grove Lane should be improved from Bakers Grove Road to Hobson Pike. The improved cross section should match that of Arbor Crest Avenue (46 ft. ROW and 23' roadway, sidewalks). All lots (100%) of the development will use Bakers Grover Road to access Hobson Pike. The existing Bakers Grove Lane is approximately 400 feet in length and 20 feet wide.



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CONDITIONS from 11/14/2002

1. A revised plat must be received prior to the Planning Commission meeting showing the following:
 - a. Curb, gutter and grass strip shown along Bakers Grove Road.
 - b. The classification of all roadways (Minor Local, Local, etc.) shown.
 - c. The plat must be stamped with professional seal.
 - d. Add the Subdivision Number 2002S-278G to the plat.
 - e. The temporary dead-ends at the end of Arbor Crest Avenue and Majestic Way need to be labeled: "Temporary Dead-End Streets will be extended in the future."
2. An agreement between the developer and Metro Water Services is being drafted to pay for the maintenance of the On Site Sewer System based on a percentage of the revenues collected from the residents in Arbor Crest. This agreement must receive Metro Council approval prior to the issuance of any grading permits.
3. Information has been received that there is a private cemetery located on the adjoining parcel to the north (Map 23 Parcel 123). The applicant shall verify that no disturbance will take place within 10 feet of the gravesites. The fence proposed at the property line may need to be relocated to stay out of the 10-foot setback although the gravesite is located on the adjoining property.
4. Two small discrepancies exist between the boundary of the subdivision plat and the boundary as shown on the Metro Property Maps. This discrepancy will need to be resolved by the applicant prior to the approval of any final plats. The Metro property maps include additional property that the preliminary plat does not account for. If any surplus exists, the land shall be counted toward open space.
5. The existing section of Bakers Grove Lane should be improved from Bakers Grove Road to Hobson Pike. The improved cross section should match that of Arbor Crest Avenue (46 ft. ROW and 23' roadway, sidewalks). Construction plans shall be submitted for bonds with the final plat for phase 1.



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6. With the final plats for each phase, bonds will be required for the extension of streets and sidewalks, public utilities and landscape buffer yards.



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

Subdivision 2004S-206G-03
Bell Grimes Subdivision
None
2 - Isabel
3- Pam Garrett
Nadine Cummings, owner, Dale and Associates, surveyor.

Deferral

This item was deferred at the July 8, 2004, MPC meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Leeman
Approve

APPLICANT REQUEST
Preliminary Plat

Subdivide 21 acres into 39 single-family lots along north side of Bell Grimes Lane and the east side of Brick Church Pike.

ZONING
RS20 district

RS20 district, requiring a minimum lot size of 20,000 square feet and intended for single-family dwellings at an overall density of 1.85 dwelling units per acre.

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS20 (minimum 20,000 sq. ft. lots) to RS10 size lots (minimum 10,000 sq. ft. lots).

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The plan proposes 8.4 acres of open space (40%), which complies with this provision.

SUBDIVISION DETAILS

The project proposes the only access for the subdivision to be on Bell Grimes Lane, with two stub-streets to adjacent properties to the north and south. There is no access proposed to Brick Church Pike since that would require crossing a stream and because there are serious sight distance problems along the portion of Brick Church Pike.

TRAFFIC
PUBLIC WORKS'
RECOMMENDATION

No Exception taken.



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1. Note Subdivision Regs. call for 100 foot min. between reverse curves.
2. Subject to construction plans [with final].
3. Due to connectivity and undeveloped adjacent land, submit access study prior to review.

CONDITIONS

1. An access study must be submitted prior to final plat approval.



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

Subdivision 2004S-161U-10
Glen Echo, Resubdivision of Lot 12

None
25 - Shulman
8 - Harkey
Barge, Waggoner, Sumner & Cannon, applicant, for Eugene T. Collins, owner

Deferral

This item was deferred at the request of the applicant at the July 8, 2004, Commission meeting.

Staff Reviewer
Staff Recommendation

Mitchell
Approve with a recommendation to grant a waiver for Lot Resubdivision Comparability since the property is located within 1/2 mile of a Regional Activity Center, and a recommendation to approve the requested sidewalk variance based on Metro Public Works' comments

APPLICANT REQUEST
Preliminary & Final Plat

Subdivide a 0.89-acre tract into a 2-lot subdivision, at a proposed density of 2.2 dwellings units per acre. The applicant is also seeking a sidewalk variance for the requirement to construct a Metro-standard sidewalk along Hillmont Drive fronting the two new lots.

ZONING
R10 district

R10 district requiring a minimum lot size of 10,000 square feet

SUBAREA 10 POLICY
RL (Residential Low-Density)

This subdivision falls within the Subarea 10 Plan's Residential Low-Density (RL) policy. The RL policy was applied to this area because it is developed residentially with densities at or below 2 dwelling units per acre. According to the Subarea 10 Plan, "the intent of this plan is to ensure that future development of infill sites conform with the existing character of surrounding areas...and the plan recommends that the prevailing character and densities of these areas be conserved."

February 10, 2003
Glen Echo / Hillmont
Community Meeting

On February 10, 2003, planning staff met with Councilman Shulman and invited citizens at the Green



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Hills Branch Library to discuss the development options for this area of Green Hills. The citizens expressed that: single-family homes were preferred over duplexes; increased density for their neighborhood may be acceptable under an RLM land use policy; and the applicant's (previous) request – to subdivide Lot 12 into three lots – was unacceptable because of the considerable size difference between the proposed lots and existing lots on Hillmont Drive. Staff concluded after that meeting that an extension of the RLM policy should be seriously considered south of the zoning line between Graybar Lane and Hillmont Drive and inclusive of all lots along Glen Echo Road and Benham Avenue.

SUBDIVISION DETAILS

The 0.89-acre tract lies along the north margin of Hillmont Drive, and just north of Glen Echo Road. The applicant is proposing two lots, each 72.52 feet in width and lot sizes of 19,036 and 19,776 square feet. This plan proposes a density of 2.2 dwelling units per acre. Although this density still exceeds the Subarea 10 Plan's RL policy of 0-2 units per acre, staff believes it may be appropriate to update the policy for this area to support greater infill developing. In addition, at previous neighborhood meetings, some residents of this area recommended that the applicant return to the Planning Commission with a 2-lot subdivision in lieu of the previously proposed 3-lot subdivision.

SUBDIVISION VARIANCES

Sec. 2-4.7, Lot Comparability (Waiver)

The proposed two lots fail the lot comparability requirements for minimum lot width requirement. The comparability test, which takes into account the lot frontage on lots within 300 feet of the subject lot, requires that each lot provide not less than 103 feet of lot frontage. Both lots also fail lot comparability for minimum lot size by not providing a minimum lot size of 28,230 square feet. On April 24, 2003, the Commission disapproved this proposed subdivision, based largely on concerns about the appropriateness of granting a variance for the regulations' comparability provisions.



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In September 2003, the Commission adopted an amendment to Section 2-4.7 of the Subdivision Regulations that allows the Commission to grant a waiver to those provisions when, “in the opinion of the Planning Commission a smaller lot size is consistent with the General Plan.” Several criteria may be applied by the Commission to determine whether a smaller lot size is appropriate. One factor is whether the property is located within ½ mile of a designated Regional Activity Center. The purpose of this provision is to give the Commission discretion to permit higher intensity residential development within walking distance of the goods and services provided in a Regional Activity Center. Staff recommends that the Commission approve a waiver of the lot comparability requirements for this subdivision because the proposed lots are located within ½ mile of Subarea 10’s Green Hills Regional Activity Center.

Sec. 2-6.1, Sidewalks

The applicant has requested a sidewalk variance due to the absence of sidewalks along Hillmont Drive, due to the amount of drainage construction that would be required to meet Metro Public Works sidewalk construction standards, and due to the possibility of having to relocate or remove a utility pole and existing trees.

The subdivision regulations require a 5-foot wide public sidewalk and a 4-foot wide grass strip along the frontage of the residential properties less than 20,000 square feet in size to be located within the public right-of-way. Should an applicant believe that the installation of sidewalks creates an undue hardship; a variance may be requested by the Planning Commission. The Planning Commission will make findings based upon the evidence to determine if a claimed hardship is true. In making a recommendation to the Planning Commission, staff has reviewed the criteria and determined that:

- The conditions upon which the request for this variance is based are not unique to the subject property and are applicable to other surrounding properties.
- The physical surroundings, shape of the lot frontage, and topography of the grassy swale



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Sidewalk Constructability Report

fronting the subject property do not create an undue hardship to the owner of this property.

The Metro Public Works' Sidewalk Constructability Report states that currently there is a grassy swale, one utility pole at or near the northeast corner of the parcel, and that the street currently has no sidewalk, nor curb and gutter system. Construction of a standard Metro sidewalk along this lot would require the installation of a curb and gutter and possible relocation of one utility pole.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

At the owner's request, Public Works made an additional site visit to review and reevaluate the previously submitted constructability report from 2003. This was done based upon additional information supplied by the applicant's engineer.

Due to the grades, (in this case flat vs. steep grades) significant offsite grading will be required along Hillmont to Glen Echo Drive deepening the ditch line to obtain positive drainage, thus creating a negative impact offsite.

Hillmont Drive is a loop street with this proposed subdivision being on the outside loop along with the utility poles. After reviewing the area with the utility poles, grades, and a shorter distance on the inside loop, (170 feet shorter on the inside loop) it is likely that with any Metro sidewalk project, sidewalks would be installed on the inside curve opposite the subject property.

Subject to this latest review, Public Works could support the applicant's variance request in this particular case.



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

Zone Change 2004Z-085G-13
None
None
32– Coleman
6 – Awipi
Joe McConnell, MEC, Inc., applicant for Luther Marie Vaughn, owner

Staff Reviewer
Staff Recommendation

Harris
Disapprove, unless a revised site plan is submitted prior to the MPC meeting.

APPLICANT REQUEST

Rezone 60.41 acres from agricultural/residential (AR2a) to residential multi-family (RM6) district at Old Hickory Boulevard (unnumbered), approximately 1,650 feet north of Logistics Way.

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. This zoning district would permit approximately 30 dwelling units total on this site.

Proposed Zoning
RM6 district

RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre. The proposed zoning district would permit approximately 362 dwelling units total on this site.

**ANTIOCH-PRIEST LAKE
COMMUNITY PLAN POLICY**

Neighborhood General (NG)

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



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Policy Conflict

The proposed RM6 district is not consistent with the NG policy in this area because the site plan submitted does not conform to the intent of the NG policy. According to the newly adopted LUPA document, the NG policy is intended to “contain a mix and arrangement of development that is appropriate to the site based on where it is situated within the neighborhood with respect to the center and edge of the neighborhood as envisioned in the Structure Plan.” The site plan does not provide for a mixture of housing types and does not provide the required street connections shown in the subarea plan. The site plan does, however, provide a 15 acre park donation to the north of the property.

RECENT REZONINGS

Parcel 104 to the south was rezoned from IR to IG in January 2004, by Council. The Planning Commission recommended approval in September 2003.

TRAFFIC

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.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Density per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	60.41	0.5	30	288	31	31

Typical Uses in Proposed Zoning District: RM6

Land Use (ITE Code)	Acres	Density per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	60.41	6	362	2122	160	189

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				+332	+120	+158



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METRO SCHOOL BOARD REPORT

Projected student generation

25 Elementary 18 Middle 14 High

Schools Over/Under Capacity

Students would attend Mt.View Elementary School, Kennedy Middle School, or Antioch High School. All three schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004. There is capacity at an elementary school within the cluster and a high school at an adjacent cluster (McGavock, Maplewood, Whites Creek, and Stratford). There are no middle schools with capacity in the Antioch cluster. This information is based upon data from the school board last updated January 16, 2004.

Fiscal Liability

The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of \$234,000 approximately for additional school capacity in this cluster. A new middle school is presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

Planned School Capital Improvements

Land was purchased on Pettus Road in FY 03-04 in the Antioch cluster for a new middle school and a new elementary school. The School Board's proposed capital budget for FY 04-05 includes money to construct the middle and elementary schools and to purchase land for a new high school.



Project No.	Zone Change 2004Z-092G-14
Associated Case	2004P-018G-14
Council Bill	None
Council District	12 - Gotto
School Board District	4 - Nevill
Requested By	Lose & Associates, Inc., applicant, for Eatherly Family Holdings, owner.

Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve, with conditions subject to traffic recommendation from Public Works prior to the Planning Commission meeting.</i>

APPLICANT REQUEST

Rezone 16.54 acres from residential (RS10) to residential (RM6) a portion of property at Lebanon Pike (unnumbered), as part of a requested new Planned Unit Development. The property is located along the south side of Lebanon Pike, just west of the Wilson County line.

Existing Zoning
RS10 district

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

Proposed Zoning
RM6 district

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

SUBAREA 14 PLAN
Residential Low-Medium (RLM)

RLM policy is a policy category designed to accommodate residential development within a density range of about 2 to 4 dwelling units per acre. The predominant development type in RLM areas is single-family, although some townhomes and other forms of attached housing may be appropriate. The Subarea 14 Plan specifically states that the intent is to promote development in accordance with the standard RLM policies.

Policy Conflict

Yes. The associated PUD plan proposes to develop a larger tract than just the 16.54 acres associated with this rezoning request. The total subdivision acreage is proposed at 52.23 acres and includes a portion of



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Wilson County. The PUD plan proposes a total of 180 living units in Davidson County (90 townhouses and 90 single-family lots). Although the overall density is proposed at 4 units per acre, which includes the 32 single-family lots in Wilson County, the Davidson County portion is 4.2 units per acre. Additionally, the northernmost portion of the subject parcel has hillside slopes at and above 25%. Approval of this zone change should be conditioned on the overall density for the proposed development, including the portion in Wilson County, remaining at or below 4 units per acre

RECENT REZONINGS

No

TRAFFIC PUBLIC WORKS' RECOMMENDATION:

Since the applicant did not submit the required Traffic Impact Study until the end of the day on July 12, 2004, the Metro Public Work Department has not made a recommendation on this proposal.

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached ()	42.83	3.7	158	1512	119	160

Typical Uses in Proposed Zoning District: RM6 with PUD*

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome ()	16.54	6	90	528	40	47

Typical Uses in Proposed Zoning District: RS10 with PUD*

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached ()	26.29	3.7	90	862	68	91

* The proposed PUD plan includes a 26.29 area that is already zoned RS10. This only includes the portion in Davidson County.

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			-122	-11	-22



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METRO SCHOOL BOARD REPORT

Projected student generation:

11 Elementary 7 Middle 5 High

Schools Over/Under Capacity

Students would attend Tulip Grove Elementary School, DuPont-Tyler Middle School, and McGavock High School. DuPont-Tyler middle has been identified as being over capacity by the Metro School Board. There is capacity at a middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.



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

Planned Unit Development 2004P-018G-14
Heritage Hills
2004Z-092G-14
None
12 - Gotto
4 - Nevill
Lose & Associates, Inc., applicant, for Pointe Partners, LLC, developer, and Eatherly Family Holdings, owner.

Staff Reviewer
Staff Recommendation

Mitchell
Approve, subject to traffic recommendation from Public Works prior to the Planning Commission meeting, and subject to the plan being revised prior to Third Reading at Council. If the plan is not revised, the recommendation is to disapprove.

APPLICANT REQUEST
Preliminary PUD

Request to adopt a preliminary Planned Unit Development to allow for 90 townhouses and 90 single-family lots on 42.83 acres within Davidson County. The site is located along the south side of Lebanon Pike at the Davidson / Wilson County line.

PLAN DETAILS
Site Design

The plan proposes a total of 209 units where 90 units will be townhouses and 119 units will be single-family lots. The subdivision includes 29 single family units in Wilson County and, 90 single-family in Davidson County. All 90 of the townhouses will be located in Davidson County. The townhouses are proposed in the northernmost portion of the property, just south of Lebanon Pike. This area is proposed to be rezoned from the current RS10 district to RM6 district.

Access Issues

Access to the subdivision development will be via the following points:

- a) Public roadway off of Lebanon Pike that will continue through the entire site to connect to the southernmost property line, which could possibly provide connection to Rowena Drive.
- b) Oak Leaf Drive makes a T-type intersection in Wilson County. The southern leg of that intersection will abut the majority of the 32 lots within Wilson County and then re-enter Davidson County in the far southeast corner of the property.



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Variances/ Environmental Concern

The following connections were not made by the applicant, but were requested by Planning Department staff during the plan review process:

- a) Rehnea Drive, to the north, stubs out at the central portion of the property. The applicant is proposing an amenities center adjacent to this possible connection. In lieu of providing the connection, a parking lot is proposed to service this amenities area. The alignment of the proposed parking area and Rehnea Drive is perfectly situated for a street connection.
- b) The applicant proposes townhouses along private street 'C'. This street should be converted to a public street since parking for each townhouse unit is accommodated on-site. In addition, the topography of the site, particularly at this location, is suitable for a roadway connection to the west where the adjacent land is undeveloped. Staff recommends the plan be revised to include a stub street to the west (parcel 10) prior to third reading by Metro Council. If the plan is not revised, then staff's recommendation is to disapprove the application.
- c) It was requested that private street 'A' and 'B' connect to rid street 'A' of the permanently-stubbed end.

Although this site is encumbered by hillside, the majority of the slopes do not exceed 12 to 14%. Based on staff calculations, however, the northernmost portion of the site exceeds 25% slope. This is approximately where the townhouses associated with private street 'A' are located. The Metro Zoning Code requires that areas of 25% or greater slope be preserved and recorded as open space. Accordingly, the townhouses on 25% or greater slopes must be relocated and those areas preserved and recorded as common open space. If the plan does not change, the applicant will need to seek a variance from the Board of Zoning Appeals (BZA). Since the Zoning Code requires the Planning Commission to make a recommendation to the BZA, staff recommends disapproval of a hillside development variance.

A "B" buffer yard with a minimum width of 10 feet is also required by the Zoning Code between the RM6 and



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the R10 zoning behind the units on Private Street B. Currently, the plan does not show this required buffer yard. Staff also recommends that the plan be revised to include this buffer yard. If it is not revised, staff will recommend disapproval of this buffer yard variance to the BZA. No hardship has been identified by the applicant.

ZONING & LAND USE POLICY

RS10

*Subarea 14
RLM Land Use Policy*

This request for preliminary PUD approval is associated with a zone change request to change the northern section of the property (parcel 82) from RS10 to RM6 to allow for the development of the townhouses.

The RLM policy calls for residential development at 2 to 4 dwelling units per acre. This PUD plan proposes an overall density of 4 dwelling units per acre; however, that number jumps to 4.2 units per acre in Davidson County alone.

TRAFFIC PUBLIC WORKS' RECOMMENDATION:

The applicant did not submit the required Traffic Impact Study until the end of the day on July 12, 2004. As of July 15, 2004, the Metro Public Work Department has not made a recommendation on this proposal.

CONDITIONS (if approved)

1. Private Street 'C' must be converted to a public street with a stub connection to the abutting property to the west of this site.
2. All townhomes proposed along Private Street 'A' must be relocated elsewhere within the site so as to preserve areas of topography that exceed 25% slope.
3. A 'B' landscape buffer yard must be installed, at least 10 feet in width, along the south side of the townhome units proposed along Private Street 'B'.
4. A Tree Preservation / Removal and Grading Boundary Plan (24x36) must be submitted prior to, or in conjunction with, the submittal of the Final PUD application.



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5. This preliminary 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.
6. Prior to third reading at the Metro Council, the plan must be revised to include a stub-street to Parcel 10 to the west. If the plan is not revised to include this stub street, the staff recommendation is to disapprove.



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

Zone Change 2004Z-095U-11
None
None
16 – McClendon
7 – Kindall
Metro Historical Commission, applicant, for Dorothy & Robert King

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

To apply the Historic Landmark Overlay District to 3210 Avenal Avenue, north of Antioch Pike.

Existing Zoning
RS7.5 district

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

SUBAREA 11 PLAN POLICY

Residential Medium (RM)

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

Policy Conflict

None. The Historic Landmark Overlay District is consistent with the RM policy called for in this area. The Metro Historic Zoning Commission (MHZC) recommended approval of this district and found that this property is “historically significant.” It was also determined to be National Register eligible by the Metro Historical Commission staff.

Design guidelines were also adopted by the MHZC to protect this structure “from alterations that would lessen the architectural significance, new construction or additions not in character with the landmark area or structure, and from the loss of architectural, archaeological, or historically important structures or sites.”



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RECENT REZONINGS

This property was rezoned from R8 to RS7.5 in November 2003, by Council. The Planning Commission recommended approval in October 2003.

TRAFFIC

This rezoning is not expected to have a significant effect on traffic in these areas.

METRO SCHOOL BOARD REPORT

This rezoning is not expected to have a significant effect on student generation projections.



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

Zone Change 2004Z-098U-05
None
None
5 – Murray
5 – Hunt
Councilmember Pam Murray, applicant for various owners

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 24.50 acres from residential multi-family (RM20, RM40) and office/residential (OR20) to residential single-family (RS5) district properties located along Douglas, West, Strouse, and McClurkan Avenue.

Existing Zoning
RM20 district

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

RM40 district

RM40 is intended for single-family, duplex, and multi-family dwellings at a density of 40 dwelling units per acre.

OR20 district

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

Proposed Zoning
RS5 district

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

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

The proposed RS5 district is consistent with the RM policy intended for residential development at a density of four to nine dwelling units per acre. It is also consistent with the development pattern in the area



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which is predominantly single-family homes. The RM40, RM20, and OR20 zoning districts are not consistent with RM policy because they permit more than nine dwelling units per acre.

Section 17.40.650 of the Zoning Code states “a structure containing a two-family *nonconforming* use within an RS district may be restored within one year regardless of percentage of damage or destruction.”

RECENT REZONINGS

None

TRAFFIC

This rezoning is not expected to have a significant effect on traffic.

METRO SCHOOL BOARD REPORT

This rezoning is not expected to have a significant effect on student generation projections.



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

Subdivision 2004S-188U-05
Inglewood Place, Resubdivision of Lot 14
None
None
7 - Cole
5 - Hunt
R.L. Montoya, surveyor, applicant, for Edwin R. Fulcher, owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve final plat, and approve following variance requests: 1) Variance for sidewalk construction along Kirkland Avenue, and 2) Variance for Lot Depth-to-Width Ratio.

APPLICANT REQUEST
Final Plat with Variance Requests

Request for preliminary and final plat approval for a 2-lot subdivision, and a request for variances for sidewalk construction on Kirkland Avenue and for Lot Depth-to-Width Ratio. The property is located along the south side of Kirkland Avenue, approximately one-quarter mile east of Gallatin Pike.

ZONING
RS7.5 district

RS7.5 district requires a minimum lot size of 7,500 square feet and is intended for single-family dwellings at an overall density of 4.9 dwelling units per acre.

VARIANCE REQUESTS
Section 2-6.1
Sidewalk Construction:

The applicant is requesting a variance for sidewalk construction along the south side of Kirkland Avenue fronting the newly-created lot. The stated hardship is that “there are no sidewalks in the area, plus there is a storm grate in the same location [as the required sidewalk].”

A section of sidewalk approximately 50 feet in length will require significant reconstruction of the roadway by construction of a curb and gutter system for a relatively short section of sidewalk in a mid-block location, which is inconsistent with good planning and design. In addition, staff researched the Sidewalk Priority Program, as published by Metro Public Works,



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*Section 2-6.2.1
Lot Depth-to-Width Ratio*

and found that Kirkland Avenue is not scheduled for new sidewalks within any future timeframe.

The applicant is requesting a variance from the Subdivision Regulation requirement that the average lot width cannot be less than 25% of the average lot depth.

Staff supports granting this variance since all the lots along Kirkland Avenue, on both sides of the street, are very deep lots and have historically been platted as such.

**TRAFFIC
PUBLIC WORKS'
RECOMMENDATION**

No exception taken



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

Subdivision 2004S-214G-14
Cooks Landing
None
12 - Gotto
4 - Nevill
Cooks Landing Partnership, owner/developer, and Joseph G. Petrosky Associates, LLC, surveyor.

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Subdivide 17.13 acres into 42 single-family lots along the south side of Stewarts Ferry Pike, east of Old Hickory Boulevard.

ZONING
RS15 district

RS15 district, requiring a minimum lot size of 15,000 square feet and intended for single-family dwellings at an overall density of 2.47 dwelling units per acre. The RS15 district permits a maximum of 42 single-family lots on this property.

SUBDIVISION DETAILS

This plat is consistent with the Subarea 14 Plan’s Residential Low Medium (RLM) policy calling for two to four dwelling units per acre. Proposed lot sizes range from 10,000 square feet to 18,300 square feet. The proposed subdivision provides 2.57 acres (15%) of open space. While there is no floodplain on this property, several lots are designated as Critical Lots due to steep topography.

Connectivity

One stub-street is provided to the large tract of land to the south. Staff considered requiring more connectivity, but since there are limitations on future development in this area, it was determined that no additional sub-streets were necessary. The limitations were mainly the steep topography and the proximity to Percy Priest Lake to the south, which limits overall connectivity in the future. Staff also considered requiring a stub-street to the west that would tie into Old Hickory Boulevard, but because Old Hickory Boulevard dead-ends into the lake, it was deemed unnecessary.

Sidewalks are proposed along the frontage of Stewarts Ferry Pike, as well as along both sides of Cooks Landing Drive and all of the new internal streets.



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TRAFFIC PUBLIC WORKS' RECOMMENDATION

Revise and Resubmit.

1. Show right-of-way on Stewarts Ferry Pike.
2. Revise right-of-way radius on turnarounds to 41.5 feet (30 feet of pavement + 2.5 feet of curb and gutter + 5 feet of sidewalk).
3. Demonstrate adequate sight distance for proposed Cooks Landing Drive access on Stewarts Ferry Pike in Access Study.
4. Cooks Landing Drive should be straightened.

CONDITIONS

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

1. Prior to final plat approval, adequate sight distance must be demonstrated for the Cooks Landing Drive access to Stewarts Ferry Pike in the form of an Access Study that must be approved by Metro Public Works.



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

Subdivision 97S-014U-03
Forest Vale Subdivision
None
1 - Gilmore
1 – Thompson
Metropolitan Department of Law

Staff Reviewer
Staff Recommendation

Fuller
On advice from the Metropolitan Department of Law, staff recommends that the prior approval be rescinded.

APPLICANT REQUEST

The Metropolitan Department of Law recommends the rescission of the original approval of this subdivision since it was recorded in error without a bond in place. The original plat was recorded without the required sewer line extension being built or properly bonded.

SUBDIVISION DETAILS

Timeline

July 17, 1997

James S. Norman of Metro Water Services issued a letter to the Planning Department indicating approval of the Forest Vale Subdivision with the contingency for a bond for the construction of sanitary sewer in the amount of \$28,400.

January 14, 1999

The Forest Vale final plat was recorded without the required bond for sewer improvements.

February 21, 2003

Scott Potter, Director of Water Services, sent a letter to Terry Cobb, Director of Codes Administration, informing Codes of the problem and requesting that any building permit applications of these properties be denied. This letter was copied to Mr. Howard Fisher, the developer, and identified the steps that needed to be taken to rectify the situation.

The steps Mr. Potter identified to correct the situation were:

- Resubmittal of sewer construction plans for approval by the State of Tennessee and Metro Water Services.
- A posting of a bond for \$40,000.

June 3, 2004

Brooks Fox, Metropolitan Department of Law, issued a letter to Howard Fisher, developer, informing him that if the steps were not taken to comply with the



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June 8, 2004

STAFF RECOMMENDATION

construction and bonding of the sewer line, then the Planning Commission could rescind the approval of the subdivision.

The Department of Law issued a letter to Mr. Rick Bernhardt, Planning Director, requesting that the issue be placed on the July 22, 2004, agenda of the Planning Commission to give the developer ample time to show an intent to comply. This letter was copied to both owners of the land, Howard Fisher and Don Whitfield.

Staff recommends rescission of the Forest Vale final subdivision plat approval. The developer, Howard Fisher, has had ample time to construct a sewer line since the recording of the plat in 1999, and has shown no intent to comply with the requirements of the subdivision plat approval.



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

Planned Unit Development 122-83-U-12
The Woodlands Subdivision
None
None
31 - Toler
2 - Blue
Prestige Homes, applicant, for Jeffrey Hitt & J.D. Eatherly, owners.

Staff Reviewer
Staff Recommendation

Mitchell
Recommend that the MPC consider this application as an amendment to the PUD, and that the Commission disapprove the application.

APPLICANT REQUEST
Revise Preliminary & Final PUD

Request to revise the preliminary Planned Unit Development and for final PUD approval to allow for the development of 15 single-family lots along the west side of South Woodstone Lane and to remove the future southern extension of Windypine Drive. The subdivision is located along the south side of Old Hickory Boulevard approximately one mile west of Nolensville Pike.

PLAN DETAILS
Site Design

The plan proposes to 1) remove a future southern extension of Windypine Drive beyond Maplesong Drive to 2) allow for the development of 15 single-family lots on the west side of South Woodstone Lane. Two lots are proposed at the terminus of Windypine Drive, where a permanent cul-de-sac would be constructed. The remaining 13 lots would be constructed within the hillside along the west side of South Woodstone Lane extending down to the existing permanent cul-de-sac.

PUD Plan History

This PUD plan was originally approved by Metro Council in 1983. It was again approved by the Metro Council, as an amendment, in 1986 (BL86-1400) to allow for the development of 380 apartments, 200 townhomes, and 239 single-family homes, for a total of 819 residential units. The latest requests to amend the PUD plan came in three (3) successive attempts in 1996, 1999, and 2001. Those three attempts proposed to amend the southern portion of the property to allow for the development of 150 townhomes where 152



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Status of Earlier Planned Unit Developments

single-family homes are currently approved per the 1986 plan. All three attempts failed to receive Council approval.

The preliminary PUD plan last approved by Metro Council allows for the southern extension of Windypine Drive with single-family lots located along the eastern side of the street. If that plan was built, in light of the current build-out, lots would be adjacent to the existing South Woodstone Lane; however, a buffer would be provided between those lots South Woodstone Lane.

Section 17.40.120(G)(2) of the Zoning Code states: *“The planning commission may consider and approve minor modifications to a previously approved planned unit development subject to the following limitations. All other modifications shall be considered by the planning commission as an amendment to the previously approved planned unit development and shall be referred back to the council for approval according to the procedures of Section 17.40.120(A)(5). That portion of a planned unit development master plan being amended by the council shall adhere to all provisions of this code.”*

The last Council-approved plan allowed for the development of homes along the east side of the Windypine Drive extension. These homes were to be constructed on a downslope, however, since the roadway was to run along the westernmost edge of the PUD boundary.

The current request proposes to remove the roadway extension and place the lots along the east side of the existing South Woodstone Lane, which would change the lots from downslope lots to upslope lots. Section 17.40.120(G)(2)(a) provides that a changed to a PUD should be treated as an amendment - - and thus resubmitted to the Council for consideration - - if : *“In the judgment of the commission, the change does not alter the basic development concept of the PUD.”* Staff recommends that the Commission consider this application to be an amendment based on the following:

1. The current Council-approved plan established that the lots to be located along the east side of the Windypine Drive extension would have a rear



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orientation to those lots located along the east side of South Woodstone Lane. The latter lots could expect to face the rear yard and open space buffer behind the lots located along Windypine Drive.

2. Homes constructed on a downslope are graded and developed in a very different manner than homes constructed on an upslope. If these 13 lots are allowed to be developed along the west side of South Woodstone Lane, significant retaining walls will need to be constructed. These retaining walls would be required since the homes would be constructed in the lower portion of the lot to avoid having longer, extremely steep driveways. If lots were developed along the east side of Windypine Drive extension, they would be located at the “top” of the slope and would be developed in such a way as to hold the house onto the hill versus completely retaining the earth from falling in on the house.

Recommendation Analysis

Staff recommends that the Planning Commission consider the request as an amendment based the statements above. Staff also recommends disapproval of the amendment because amendments to a PUD must comply with all provisions in the Metro Code. Section 17.28.030 (A)(2) states that: *“The planning commission may authorize lots on natural slopes ranging up to twenty five 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.”* This PUD plan would be considered a cluster lot PUD under the current Metro Code since the base zone is R15, but the lots range from 6,600 square feet to 14,000 square feet.

The area where the 15 lots are now proposed ranges in slope percentages between 20 and over 36%. The Planning Commission may only authorize lots on natural slopes ranging up to 25%. Accordingly, staff recommends disapproval of the request as an amendment.

TRAFFIC PUBLIC WORKS’ RECOMMENDATION

No exception taken



Project No.	Planned Unit Development 2004P-006U-10
Project Name	Lone Oak Village Subdivision
Associated Case	None
Council Bill	None
Council District	25 - Shulman
School Board District	8 - Harkey
Requested By	Wamble & Associates, PLLC, applicant, for Alldredge Kirby Development, LLC, owner.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Final PUD

Request for final Planned Unit Development approval to allow for the development of seven single-family houses proposed to front a new public cul-de-sac. The property is located along the west side of Lone Oak Road, approximately 830 feet south of Shackelford Road in the Green Hills area.

PLAN DETAILS
Site Plan

The plan proposes seven single-family lots on a new public cul-de-sac that will run westward off of Lone Oak Road. The plan also proposes a standard 46-foot right-of-way with a sidewalk on the south side of the street where the new homes are proposed.

MPC Action on March 11, 2004

As part of the request to adopt the new PUD, the applicant was required to either install a sidewalk on the north side of the new street or request a variance from the requirement. The applicant sought the variance, which the commission disapproved; however, the Commission required the applicant to work with Metro to come up with a suitable off-site location for the sidewalk since it was agreed that a sidewalk on the north side of the new street was not feasible or practical.

Metro Council Action

Prior to adoption of the new PUD by Metro Council, an amendment was submitted that required the developer to construct 180 linear feet of sidewalk, in accordance with current Metro Public Works' standards, within the Lone Oak Road right-of-way. This portion of sidewalk will extend from the southeast corner of Shackelford Road and Lone Oak Road and extend southward along



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the east margin of Lone Oak Road approximately 180 linear feet.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

All comments were adequately addressed by the applicant.

CONDITIONS

1. The developer of said Planned Unit Development shall not be required to construct a sidewalk on the northern boundary of the proposed cul-de-sac shown on the plans approved by the Planning Commission. As a condition for the Council's approval of this PUD, however, the developer shall construct 180 linear feet of sidewalk, in accordance with current Metro Public Works' standards, from the southeast corner of Shackleford Road and Lone Oak Road and extending southward along the east margin of Lone Oak Road approximately 180 linear feet, ending at the existing driveway opposite the intersection of Lone Oak Road with Warfield Drive.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans as approved by the Metro Planning Commission will be used by the Department of Codes Administration to determine compliance,



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both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission and possibly the Metro Council.



Project No.	Planned Unit Development 2003P-010U-07
Project Name	Jardin de Belle Subdivision
Associated Case	None
Council Bill	None
Council District	34 - Williams
School Board District	8 - Harkey
Requested By	Littlejohn Engineering Associates, Inc., applicant, for Tarragon Realty Investors, Inc., owner.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Final PUD

Request for final Planned Unit Development approval to allow for the development of a 34-lot, single-family, Charleston-style subdivision on 6.18 acres. Property is located along the north side of Forrest Park Drive, east of Maybelle Lane, and west of Page Road.

PLAN DETAILS
Site Plan

This final PUD plan is consistent with the preliminary plan as approved by the Metro Planning Commission on November 13, 2003, and by the Metro Council on January 21, 2004.

The PUD plan proposes 34 single-family lots where a 29-unit apartment complex, 2 duplexes, and 2 single-family homes currently exist, on the northwest corner of Page Road and Forrest Park Drive. The development proposes a mix of Charleston-style Single Houses, Double Houses, and Georgian center-entrance homes that are more centrally balanced. The Single and Double Houses traditionally have a much thinner lot width than typical suburban residential development. Every lot is proposed to have either rear access or side access leading to a rear-located garage / carriage house. The plan proposes a single one-way street for ingress and egress off Forrest Park Drive. Only 8 lots front Forrest Park Drive, while the remaining lots front the one-way internal street.

The applicant has retained the orientation of the homes toward the internal one-way street – which keeps the highest portions (3-story) of the homes internal to the project. Additionally, the Charleston-style home



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replicates the front façade to the sides and rear of the house to enhance architectural styling.

Stormwater management facilities are proposed in the northeast corner of the site and are proposed to be handled by a dry detention facility that will be heavily landscaped, with a berm, along Page Road.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

All comments were adequately addressed by the applicant.

CONDITIONS

1. The project shall be developed in accordance with the 'Conceptual Streetscape Elevation – Page Road & Maybelle Lane', as prepared by Littlejohn Engineering Associates, Inc., and dated November 7, 2003.
1. The project shall be developed in accordance with the 'Conceptual Streetscape Plan – Page Road & Maybelle Lane', as prepared by Littlejohn Engineering Associates, Inc., and dated November 7, 2003.
3. Per the submitted Tree Preservation Plan, as completed by The Parke Company, and dated May 27, 2004, all conditions (listed A through N) for tree preservation care shall be met as required by the certified arborist.
4. Should any tree that is tagged, fenced, and appropriately protected for preservation die within one year of the issuance of the grading permit, a tree of the same species, shall be planted in its place. The size of the replanting, whether measured using DBH (diameter at breast height) or caliper, shall be determined by the certified arborist to ensure survivability, healthy growth, yet also act to replace the canopy of the existing shade trees.
5. All construction activity, whether temporary or semi-permanent, shall enter and exit the site via Forrest Park Drive.



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6. The developer shall construct all proposed streetscape improvements, inclusive of the five-foot sidewalk and any other voluntary decorative improvements, prior to the issuance of the first Use & Occupancy Permit for the 34-lot development.
7. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
8. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
9. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
10. These plans as approved by the Metro 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 and possibly the Metro Council.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-053G-06
Aerial Encroachment/Sign for O' Charley's
None
22 - Crafton
O'Charley's Inc.

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST

A request for aerial encroachment to replace an existing 144 square foot sign 14 feet above the ground with a 183 square foot sign, 10 feet above the ground, located at 110 Coley Davis Court.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes – one was submitted in incorrect form.

Insurance Certificate

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

Property Owner Sign Application

No

Tenant Sign Application

Yes

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Public Works Department.

CONDITIONS

Prior to approval by the Metro Council, the following conditions shall be met.

1. The Certificate of Liability Insurance, as submitted, is inadequate and requires \$1 million per occurrence and \$2 million aggregate.
2. The License Agreement to indemnify Metro Government and the Certificate of Liability Insurance shall be executed by the same party.



Project No.	Mandatory Referral 2004M-059G-02
Project Name	Brick Church Pike Easement Acquisition
Council Bill	None
Council District	3 – Hughes
Requested by	Metro Water & Sewerage Services
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 3913 Brick Church Pike, Metro Water Services Project No. 02-D-0173, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department and Nashville Electric Service. Planning staff also supports the request.



Project No.
Project Name

Mandatory Referral 2004M-060U-10
Craighead Patten Properties
Drainage Acquisition

Council Bill
Council District
Requested by

None
25 – Shulman
Metro Water & Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system, Craighead Patten Properties Drainage Acquisition, Metro Water Services Project No. 04-DL-0689, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department and Nashville Electric Service. Planning staff also supports the request.



Project No.
Project Name

Mandatory Referral 2004M-061U-10
First Unitarian Universalist Church
Drainage Acquisition

Council Bill
Council District
Requested by

None
25 – Shulman
Metro Water & Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system, First Unitarian Universalist Church Drainage Easement Acquisition, Metro Water Services Project No. 04-DL-0690, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department and Nashville Electric Service. Planning staff also supports the request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-062G-14
Hickory Hill Lane Drainage Acquisition
None
14 – White
Metro Water & Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 2032 Hickory Hill Lane, Metro Water Services Project No. 03-D-0579, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department and Nashville Electric Service. Planning staff also supports the request.



Project No.	Mandatory Referral 2004M-063U-05
Project Name	Larkspur Drive Easement Acquisition
Council Bill	None
Council District	2 – Isabel
Requested by	Metro Water & Sewerage Services
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 3138 and 3140 Lakespur Drive, Metro Water Services Project No. 02-DL-0226, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department and Nashville Electric Service. Planning staff also supports the request.