



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

Subdivision 2003S-238G-12
Highland Creek, Section 6
None
31 - Toler
2 – Blue
Holt Valley, LLC, developer, and Anderson-Delk & Associates, Engineer.
Deferred from June 24, 2004 Commission Meeting

Deferral

Staff Reviewer
Staff Recommendation

Fuller
Disapprove based on the proposed intersection being too close to Nolensville Pike, creating an unsafe intersection.

APPLICANT REQUEST
Preliminary Plat

Subdivide 2.97 acres into 11 single-family lots along the west side of Nolensville Pike, approximately 1,250 feet north of Hills Chapel Road.

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 3.7 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 RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 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 applicant complies with this requirement by proposing a total of 26,136 square feet (20%) of open space.

SUBDIVISION DETAILS

This property abuts an approved but unbuilt subdivision to the south, Brookview Forest. This proposal will revise the open space of that subdivision and will place the project entrance directly abutting the intersection of Nolensville Road and the proposed entrance road of Brookview Forest. The applicant has indicated that a connection to the north is not possible since the school to the north is already under construction, and a connection to the interior to the Brookview Forest plan is not possible since that developer has previously approved plans that do not include a connection.



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The proposed intersection ties into the entrance road to Brookview Forest in an attempt to minimize the number of road and driveway cuts along this portion of Nolensville Pike. Although other connection possibilities may not be available at this time, staff recommends disapproval since this proposal creates an unsafe and poorly functioning intersection.

PUBLIC WORKS RECOMMENDATION

All preliminary plats are subject to Public Works' review and approval of construction plans.

The proposed street intersection is too close to the intersection with Nolensville Pike. Considering the required right-of-way reservation per the MSP the intersection is within 6-7 feet of the right-of-way. A different access design should be considered.

CONDITIONS (If approved)

1. Sidewalks are required on Nolensville Road.
2. The existing ROW of all existing and proposed streets needs to be added to the plat.
3. Prior to final plat approval signatures must be obtained from the adjacent property owner (Map 180, Parcel 8) granting approval of the road location.



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

Subdivision 2004S-163U-10
Woodmont Village
None
25 - Shulman
8- Harkey
Gresham Smith and Partners, for John Cobb, owner.

Deferral

This item was deferred at the June 24, 2004, Planning Commission meeting at the request of the applicant. The applicant has changed the request from three lots to two lots.

Staff Reviewer
Staff Recommendation

Leeman
Approve

APPLICANT REQUEST
Preliminary Plat

This request is to subdivide 0.95 acres on one existing lot into two duplex lots (four total units), at 3500 Granny White Pike, at the southeast corner of Granny White Pike and Woodmont Boulevard. The lots will be served by a private joint access easement, not a public road. Access will be from Woodmont Boulevard only.

ZONING
R10 District

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. However, since this parcel was created before August 1, 1984, the Zoning Regulations allow each new lot to have a duplex for any subdivision up to three lots.

Residential Low (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." Although this plan proposes a density of 4.2 dwelling units per acre, which exceeds what the RL policy calls for in this area, it is consistent with the surrounding densities at this intersection. According to the tax records, there are duplexes existing on parcels 57, 58, and 60 across the



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street. There is also an existing duplex on the property immediately to the east on parcel 62.

SUBDIVISION DETAILS

This plat proposes two lots of 21,364 sf. and 17,615 sf., with frontages of 92 feet, 113 feet, and 190 feet.

Lot Comparability

No variances are requested. All lots now pass the Lot Comparability standards for lot size and lot frontage with the reduction of the number of lots from three to two. The minimum required lot size is 15,860 square feet and the minimum allowable frontage is 92 feet.

Sidewalks

Sidewalks are proposed along both frontages of Woodmont Boulevard and Granny White Pike.

TRAFFIC ENGINEER'S FINDINGS

No exception taken



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 June 24, 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 disapprove the requested sidewalk variance.

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 Hills Library Branch to discuss the intensification of



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this area of Green Hills. The citizens expressed that single-family homes were preferred over duplexes, that the intensification of their neighborhood was acceptable under an RLM land use policy, and that the applicant's (previous) request – to subdivide Lot 12 into three lots – be disapproved because of the considerable size difference between the proposed lots and existing lots on Hillmont Drive. Staff concluded 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 would 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. 2-6.1, 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



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Sidewalk Constructability Report

Staff 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 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.

Staff recommends disapproval of the sidewalk variance. Staff further recommends that any sidewalk constructed in front of the two lots stop short of the one utility pole at the far northeast corner of the site. The relocation of the one utility pole is not practical because it is located in the far northeast corner of the site – essentially on the property line. If the sidewalk is continued in the future or a sidewalk is brought southward to join, the relocation of one or more utility poles must be completed in conjunction with the new sidewalk connection.

METRO 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.



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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.
Project Name**

**Planned Unit Development 114-78-U-12
Edmondson Place Townhomes PUD
(formerly McMurray Townhomes)**

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

2004Z-047U-12 – (Deferred at 5/27/04 MPC meeting)
None
27 - Foster
2 - Blue
Ragan-Smith Associates, applicant, for Gertrude Tibbs Ezell, owner

**Staff Reviewer
Staff Recommendation**

Mitchell
Disapprove proposal at 240 units, but approve 218 units with conditions and recommend that the MPC allow access to McMurray Drive, as previously proposed, as a revision to the PUD plan, rather than require resubmission to Metro Council.

**APPLICANT REQUEST
Revise PUD**

Request to revise the existing PUD to allow for 240 townhome units on the 21.87-acre site, where access to the project is now proposed off of McMurray Lane & McMurray Court as it was originally approved on the Metro Council-approved plan in 1978.

**PLAN DETAILS
*History:***

This residential PUD was originally adopted by the Metro Council in 1978, and encompasses a larger land area than the 21.87 acres being amended by this request. The Council-approved plan allowed for the development of 270 units with access onto McMurray Lane & McMurray Court. In 1985, the plan was revised by the Commission down to a 162-unit plan, which also provided for an assisted-living facility. That 162-unit plan was approved by the Planning Commission as a “revision” and not referred to the Metro Council as an “amendment” of the 1978 PUD. At the May 13, 2004, Commission meeting, the applicant requested approval of a plan that provided access at one point on McMurray Drive rather than onto McMurray Lane and McMurray Court.

Access Issues

The Council-approved plan, as well as the 1985, revised plan, provided access onto a small alley (McMurray Lane) located to the east of the site, and also onto the substandard McMurray Court. The current application



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includes a request to remove the eastern access onto McMurray Lane and to have a single point of access onto McMurray Drive.

Staff supports the removal of the eastern access point since it exits onto two substandard public ways and disrupts the character of the few homes along those two streets. All traffic should enter and exit the site via McMurray Drive only, which is designated as a collector street on the adopted Major Street Plan. Connectivity to other adjacent properties is not possible since development has already occurred on all sides of this site. In addition, all drives within this project are proposed to be private.

Environmental Issues

When the PUD was revised by the Commission in 1985, several conditions were included to mitigate the negative effects of the proposed development on hillsides. Staff believes those conditions should remain in place with any revision to this PUD. The conditions are: “1) the use of stems walls on three (3) buildings along the south boundary to eliminate downside grading beyond foundation clearing, and 2) that notation on any final [PUD] plans of the general species and sizes of trees within the tree mass along McMurray Drive frontage and establishment of the limits of grading. Use and occupancy permits to be issued only on confirmed conformance to such limits.”

Revision vs. Amendment

The Zoning Code establishes several criteria to determine when changes to a PUD are “revisions”¹ that can be approved by the Planning Commission and when such changes are “amendments” that must be approved by the Metro Council. A change may be treated as a revision to be approved by the Commission if, among other things, “[t]here is no introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.”

In this case, it is subject to interpretation whether a “new” access is being proposed for McMurray Drive. The previously approved plan included access to McMurray Court and McMurray Lane, which themselves lead directly to McMurray Drive. Staff recommends that the Commission approve this application as a “revision” because the relocation of the road puts access for the project directly on a road that is



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designated as a Collector Road and because the connection at this location protects the character of the neighborhood associated with McMurray Lane and McMurray Court.

METRO PUBLIC WORKS' COMMENTS

Public Works recommends conditional approval, subject to the following conditions, generated from review of the required Traffic Impact Study (TIS), being met prior to adoption by the Metro Council:

1. Dedicate 1/2 of the required 60-foot collector ROW.
2. Construct 1/2 of the collector cross section along the property frontage.
3. Construct an Eastbound left turn lane with 75 feet of storage and transition per AASHTO on McMurray Drive at the project access drive.
4. Provide adequate sight distance for project access drive /McMurray Drive intersection. Submit graph of sight triangles per AASHTO guidelines.
5. Construct one entering lane and two exiting lanes for project access drive. The left turn lane shall have 50 feet of storage and transition per AASHTO standards.

CONDITIONS

1. Two conditions from the October 23, 1985, MPC revision approval must be re-approved and made applicable to this request:
 - a) The use of stem walls on buildings along the south boundary to eliminate downside grading beyond foundation clearing.
 - b) Notation on any final PUD plan of the general size and species of trees within the tree mass along the McMurray Drive frontage and establishment of the limits of grading outside of the drip line of the trees located on the hillside fronting McMurray Drive which are to be preserved. Use and Occupancy permits to be



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issued only on confirmed conformance to such limits.

2. If the MPC approves relocation of the access point to McMurray Drive, grading along that hillside shall be limited to the private drive only and grading shall be limited to those areas of less than 15% slope so as to reduce the need for supplemental retaining walls.
3. There shall be no provisions of stormwater management along the treed hillside fronting McMurray Drive. Alternative methods of stormwater management shall be approved by the Stormwater Division of Water Services prior to the approval of any final PUD plans.
4. A Tree Preservation / Removal and Grading Boundary Plan (24x36) shall be submitted prior to, or in conjunction with, the submittal of the Final PUD application.
5. All trash receptacles and dumpsters shall be located in inconspicuous areas of the development, but shall still be easily accessible to sanitation services.
6. 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.	Zone Change 2004Z-056U-03
Associated Case	88P-042U-03 & 2004P-012U-03
Council Bill	None
Council District	3 - Hughes
Council District	3 - Garrett
School Board District	
Requested By	Dale & Associates, applicant, for Jane D. & Dowlen Parmley and Howard Scott, owners.
Deferral	Deferred from June 24, 2004 Commission Meeting
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 38.44 acres from shopping center neighborhood (SCN), residential single-family (RS20 and RS15) to residential single-family (RS10) district, as part of a requested new Planned Unit Development. The property is located along the east side of Whites Creek Pike, approximately two-thirds of a mile north of Briley Parkway.

Existing Zoning

SCN district

Shopping Center Neighborhood is intended for a limited range of retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas. The existing PUD called for 80,000 square feet of commercial uses.

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.

RS15 district

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

Proposed Zoning

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. The proposed PUD plan includes 91 single-family homes.



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BORDEAUX – WHITES CREEK PLAN (SUBAREA 3)

Residential Low-Medium (RLM)

RLM policy is a policy category designed to accommodate residential development within a density range of 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 newly updated and adopted Bordeaux – Whites Creek Plan states that in areas designated with an RLM policy, proposals for single-family residential development, civic activities, and low-rise public benefit uses may be considered on their merits.

Policy Conflict

No. The associated PUD plan proposes to develop the entire 38.44-acre tract with 121 single-family homes at an overall density of 3.14 dwellings / lots per acre. If a PUD was not proposed, the RS10 district would allow up to 142 single-family lots. With the adoption of the associated PUD, the applicant is proposing to reduce the number of lots to keep the overall density at the 4 middle range of the RLM land use policy.

RECENT REZONINGS

No

METRO PUBLIC WORKS RECOMMENDATION:

Public Works recommends conditional approval, subject to the following conditions, generated from review of the required Traffic Impact Study (TIS):

1. Construct project access road with 2 exiting 12-foot wide lanes and 1 entering 12-foot wide lane. Left turn lane shall have 50 feet of storage with transition per AASHTO standards.
2. Construct 12-foot wide southbound left turn lane on Whites Creek Pike (WCP) at the project access with 100 feet of storage and transition per AASHTO standards.
3. Construct 12-foot wide northbound right turn lane on WCP at the project access with 100 feet of storage and transition per AASHTO standards.
4. Provide adequate sight distance for the access road. Remove vegetation along east side of WCP to provide a minimum 425 feet of sight distance.



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Locate access road at crest of hill and submit sight triangles and road profile in conjunction with the PUD construction drawings.

5. Provide pedestrian and bike access to future Greenway west of site and future bike lanes on WCP.
6. Dedicate or reserve ROW for the U4 and right turn lane on WCP.

Typical Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	Units per Acre	Total # of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	25.64	2.47	63	603	48	64

Typical Uses in Existing Zoning District: SCN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office and Retail* (710)	12.8	--	80,000*	881	124	120

* Based on approved PUD plan

Typical Uses in Proposed Zoning District: RS10 with PUD

Land Use (ITE Code)	Acres	Units Per Acre	Total # of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	38.44	3.7	121*	1,158	*	*

*Based on proposed PUD plan

METRO SCHOOL BOARD REPORT

Projected student generation:

20 Elementary 12 Middle 13 High

Schools Over/Under Capacity:

Students would attend Alex Green Elementary School, Ewing Park Middle School, and Whites Creek High School. Alex Green Elementary and Ewing Park Middle schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary and middle school within the Whites Creek cluster. This information is based upon data from the school board last updated January 16, 2004.

COMMENTS

1. A condition addressing Metro Public Works conditions has been placed in the associated PUD staff report.



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

Deferral

Staff Reviewer
Staff Recommendation

Planned Unit Development 2004P-012U-03
Parmley Cove PUD
 88P-042G-03 & 2004Z-056U-03
 None
 3 - Hughes
 3 - Garrett
 Roy Dale & Associates, applicant, for Jane D. & Dowlen Parmley and Howard Scott, owner
 Deferred from June 24, 2004 Commission Meeting

Mitchell
Approve with conditions

APPLICANT REQUEST
Cancel PUD & New PUD

Request to cancel an existing, unbuilt, preliminary Planned Unit Development (88P-042G-03) that has already been partially cancelled, and a request to approve a new preliminary Planned Unit Development overlay to allow for the development of 121 single-family lots on 38.44 acres. The property is located along the east side of Whites Creek Pike, approximately two-thirds of a mile north of Briley Parkway.

PLAN DETAILS

History:

The original residential PUD (88P-042G-03) was adopted by the Metro Council in 1988, and encompassed a larger land area than the 38.44-acre parcel affected by this request. A portion of the PUD was previously cancelled in 1991, which was approved for single-family residential homes.

Site Design:

The applicant is requesting to cancel the remaining portion of the existing PUD – all of which is located within the SCN district along Whites Creek Pike. The new PUD plan proposes 121 single-family homes on the entire site.

Access & Connectivity:

Access to the site is provided via a new public street from Whites Creek Pike. A stub street connection is being provided to the north, and to the south, for future development, but no connections have been provided to the east due to topographical constraints and land areas designated as Natural Conservation.



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METRO PUBLIC WORKS' RECOMMENDATIONS

Public Works recommends conditional approval, subject to the following conditions, generated from review of the required Traffic Impact Study (TIS):

1. Construct project access road with two exiting 12-foot wide lanes and one entering 12-foot wide lane. Left turn lane shall have 50 feet of storage with transition per AASHTO standards.
2. Construct 12-foot wide southbound left turn lane on Whites Creek Pike (WCP) at the project access with 100 feet of storage and transition per AASHTO standards.
3. Construct 12-foot wide northbound right turn lane on WCP at the project access with 100 feet of storage and transition per AASHTO standards.
4. Provide adequate sight distance for the access road. Remove vegetation along east side of WCP to provide a minimum 425 feet of sight distance. Locate access road at crest of hill and submit sight triangles and road profile in conjunction with the PUD construction drawings.
5. Provide pedestrian and bike access to future Greenway west of site and future bike lanes on WCP.
6. Dedicate or reserve ROW for the U4 and right turn lane on WCP.

CONDITIONS

1. A Tree Preservation / Removal and Grading Boundary Plan (24x36) shall be submitted prior to, or in conjunction with, the submittal of the Final PUD application.
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.
3. Prior to final plat recordation, all traffic mitigation recommendations provided by the Public Works Department shall be completed or bonded with the appropriate performance agreement.



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 June 10, 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.

Policy Conflict

Yes. The proposed zoning district (CS) is not consistent with the NG policy, which is intended for



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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 that 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

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	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



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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.	Zone Change 2004Z-061U-14
Associated Case	99-85-P-14
Council Bill	None
Council District	15 - Loring
School Board District	4 - Nevill
Requested By	Littlejohn Engineering Associates, Inc., applicant, for Boyle Craigmear, LP, owner.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 4.93 acres from office limited (OL) to office general (OG) as part of a request to amend an existing Planned Unit Development. The property is located along the south side of Lebanon Pike, adjacent to the Briley Parkway access ramp, and east of Craigmear Drive.

Existing Zoning

OL district

Office Limited is intended for moderate intensity office uses.

Proposed Zoning

OG district

Office General is intended for moderately high intensity office uses.

SUBAREA 14 PLAN

Office Concentration (OC)

OC is a policy category intended for existing and future large concentrations of office development. Other than the Central Business District (CBD), the OC policy is generally intended to be applied to selected areas envisioned to be major office submarkets. In particular, this area of OC policy applies to the small committed area of office development that has been approved as part of this 1985, PUD. Office development should continue to be supported in this area guided by the policies for office concentrations.

Policy Conflict

No. The associated PUD is requesting to be amended to allow a technical college / university to move into the existing, vacant, 67,000-square foot Bridgestone building. The current zoning of OL does not allow a college or university, but the OG zoning allows that use by right. The OG zone district is consistent with the guiding policies set forth for Office Concentration (OC) land use policy.



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RECENT REZONINGS

No

TRAFFIC

Metro Public Works Recommendation:

No exception taken.

Typical Uses in Existing Zoning District: OL with existing PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.71	0.05	213567*	2350	331	319

*Existing Approved PUD

Typical Uses in Proposed Zoning District: OG

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Jr college 540	3.71	0.30	213,367	5866	639	542_

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
--				+3516	+307	+224

Maximum Uses in Existing Zoning District: OL with existing PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.71	0.05	213,367*	2350	331	318

*Existing Approved PUD

Maximum Uses in Proposed Zoning District: OG

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	3.71	1.5	242,411*	2669	376	362

*adjusted for type of use

Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			+319	+45	+44



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

Planned Unit Development 99-85-P-14
Briley Corners Commercial PUD
2004Z-061U-14
None
15 - Loring
4 - Nevill
Littlejohn Engineering Associates, Inc., applicant, for
Boyle Craigmeade, LP, owner.

Staff Reviewer
Staff Recommendation

Mitchell
Approve

APPLICANT REQUEST
Amend PUD

Request to amend the existing preliminary Planned Unit Development to allow for a college or university use within the existing 67,516-square foot vacant building, which is located along the south side of Lebanon Pike, adjacent to the Briley Parkway access ramp, and east of Craigmeade Drive.

PLAN DETAILS
Site Plan

The proposed amendment proposes no changes to the existing building on the site and no changes to the exterior of the building. Interior remodeling will most likely occur, but the proposed Academy of International Design & Technology College proposes only to inhabit the existing facility.

ZONING
OL District

Office Limited is intended for moderate intensity office uses.

Proposed Zone Change to OG

Office General is intended for moderately high intensity office uses. The proposed college must request this associated zone change as part of the PUD amendment since the current base zone of OL does not allow for colleges or universities. The OG zone district allows them by right and without conditions.

METRO PUBLIC WORKS' FINDINGS

No exceptions taken



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

Zone Change 2004Z-089U-14
None
None
12 – Gotto
4 – Nevill
James C. McPherson, McPherson & Kelley, Inc.,
applicant/owner

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 5.03 acres from residential single-family (RS15) to agricultural/residential (AR2a) district located at John Hager Road (unnumbered).

Existing Zoning
RS15 district

RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. The RS15 district currently would allow for approximately 12 dwelling units total on this site.

Proposed Zoning
AR2a district

Agricultural/residential requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. This AR2a district would allow for approximately 2 dwelling units total on this site.

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

The proposed AR2a district is not entirely consistent with the Subarea 14 Plan’s RLM policy; however, it downzones the property to a less intense zoning district. The RLM policy is intended for residential development at a density of two to four dwelling units per acre and the AR2a falls below this density range.



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The AR2a district allows for one dwelling unit per two acres while the RS15 district allows for 2.47 dwelling units per acre. It will also reduce the impact on schools and public infrastructure in the area.

RECENT REZONINGS

There was a request for a zone change and preliminary Planned Unit Development on property to the west of Earhart Road on May 13, 2004. The Planning Commission recommended approval of the zone change request from AR2a to R15 and approval with conditions on the Bridgewater preliminary PUD request.

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: RS15

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)	5.03	3.7	19	182	23	20

Typical Uses in Proposed Zoning District: AR2a

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)	5.03	0.5	2	20	2	2

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
				-162	-21	-18



Metro Planning Commission Meeting of 7/8/04

METRO SCHOOL BOARD REPORT

Projected student generation

<1 Elementary <1 Middle <1 High

Schools Over/Under Capacity

Students would attend Dodson Elementary School, Donelson Middle School, or McGavock Lane High School. Donelson 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.
Associated Case
Council Bill
Council District
School District
Requested by

Zone Change 2004Z-090G-12
None
None
32 – Coleman
2 – Blue
Civil Site Design Group, applicant for Martha S. Wisener, owner

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 26 acres from agricultural/residential (AR2a) to residential single-family (RS10) district to a portion of property at 5748 Pettus Road, on the west side of Preston 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 13 dwelling units 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. The RS10 district would allow for approximately 96 single-family homes.

SUBAREA 12 PLAN POLICY

Residential Low Medium (RLM)

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

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



Metro Planning Commission Meeting of 7/8/04

Policy Conflict

areas are intended to be rural in character, with very low intensity development.

The proposed zoning district (RS10) is consistent with the Subarea 12 Plan's RLM policy, which is intended for residential development at two to four dwelling units per acre. It is also consistent with the surrounding zoning pattern in the area.

The area that is located within floodplain and in the NCO policy should not be developed, and should be left in its natural state (Section 17.28.040, Zoning Code).

The draft of the Southeast Community Plan calls for a proposed arterial connection and other street connections through this site, which will be considered at the platting stage if that Plan is adopted by the Commission.

RECENT REZONINGS

Parcels to the north (001, 002, and 052) were rezoned from AR2a to RS10 and RM15 in December 2002. The Planning Commission recommended approval with conditions in August 2002. The conditions dealt with road improvements to Cane Ridge Road and Preston Road. A school site dedication was also a condition.

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	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached ()	26	0.5	13	125	10	14

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 ()	26	3.7	96	919	72	97



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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
			+83	+794	+62	+83

METRO SCHOOL BOARD REPORT

Projected student generation Schools Over/Under Capacity

19 Elementary 13 Middle 11 High

Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch Lane High School. All three schools have been identified as being over capacity by the Metro School Board. 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 approximately \$169,000 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

Location	Project	Projected Date
Antioch Cluster	New middle school	FY03-04



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

Zone Change 2004Z-091G-14
2004P-019G-14
None
12 – Gotto
4 – Nevill
Gresham Smith and Partners, applicant for Unity Center for Positive Living, Inc., owner

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 8.5 acres from residential single-family (RS15) to residential multi-family (RM6) district at 4131 Andrew Jackson Parkway.

Existing Zoning
RS15 district

RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. This district allows for approximately 21 dwelling units currently 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. This district would allow for approximately 51 dwelling units on this site.

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

The proposed RM6 district is consistent with the current Subarea 14 Plan for this area. The mapped RLM policy is intended for residential development within a density range of two to four dwelling units per acre. The subarea plan also states, however, that there is “an unmapped policy for medium density development intended to be applicable to small isolated locations along arterial streets within areas of mapped RLM policy” (p.57). The plan also states that such proposals “should be considered on their merits on a case-by-case basis.”



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This property is along an arterial street (Andrew Jackson) and will also have access from the relocation of another arterial street (Chandler Road). There are residential multi-family zoning districts surrounding this property. The associated PUD plan (2004P-019G-14) proposes a density of 4.66 dwelling units per acre which is the low end of the Residential Medium policy density range of four to nine dwelling units per acre.

The draft community plan for this area also calls for Single Family Attached and Detached in Neighborhood General in which the RM6 would be consistent with the policy since there is an associated PUD plan (2004P-019G-14).

RECENT REZONINGS

A portion of parcel 105 to the northeast was rezoned in July 2003, by Council. The Planning Commission recommended approval in June 2003. Portions of 146, 054, and 148 were rezoned from RS15 to RM2 in May 1999, by Council. The Planning Commission recommended approval in April 1999.

TRAFFIC

A Traffic Impact Study will be required to determine if mitigations are necessary due to the additional traffic generated by the proposed development.

A new site plan and TIS was submitted on 6/25/04. This new site plan reflects the recommendations of the TIS. These recommendations include future changes to the site that will be required when Chandler Road is relocated.

Typical Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached ()	8.5	2.47	21	201	16	22

Typical Uses in Proposed Zoning District: RM6 with PUD

Land Use (ITE Code)	Acres	Units Per Acre	Total Units Per Acre	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome ()	8.5	6	51*	299	23	27

*Max allowed by RM6 zoning PUD proposes Assisted Living and townhomes, but for purposes of density assisted-living is counted at a 3:1 ratio.

Change in traffic between Typical Uses in existing and proposed zone



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Land Use (ITE Code)	Acres	Units Per Acre	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			+30	+98	+7	+5

METRO SCHOOL BOARD REPORT

Projected student generation

6 Elementary 4 Middle 3 High

Schools Over/Under Capacity

Students would attend Dodson Elementary School, Donelson Middle School, or McGavock High School. Donelson 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
Council Bill
Council District
School District
Associated Case
Requested By

Planned Unit Development 2004P-019G-14
Hermitage Senior Living PUD
None
12 – Gotto
4 - Nevill
2004Z-091G-14
Gresham Smith and Partners, for Unity Center for Positive Living, Inc., owner

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD to permit a 47 rooming unit/16 dwelling unit assisted-living facility and 24 townhomes. The property is located at 4131 Andrew Jackson Parkway, north of Chandler Road.

PLAN DETAILS

The proposed plan calls for a total of 40 dwelling units on this site. The plan proposes 47 rooming units or 16 dwelling units (47 rooming units/3 beds) for the assisted-living facility and 24 townhome units. Access is provided from Andrew Jackson Parkway and a future access drive is proposed from the future relocation of Chandler Road. The assisted-living facility is oriented towards Andrew Jackson Parkway while the townhomes are to the rear of the property. The access drive splits into a one-way drive around the assisted-living facility with the townhomes and the parking spaces oriented towards the one way drive. There is also a pavilion and covered parking spaces proposed.

The plan does meet landscaping buffer yard and parking requirements. The property is adjacent to RS15 zoning on both sides which would require a “B” type landscape buffer yard. The plan proposes a 10-foot buffer yard which is consistent with the standard “B” landscape buffer yard requirement. There are also 70 parking spaces proposed, while 69 are required. The assisted-living facility would require 21 spaces while the townhome units would require 1 space per bedroom up to 2 bedrooms and .5 for each additional bedroom. The plan proposes 2 spaces per unit, and all units are to be no more than 2 bedroom units.



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Sidewalks are provided on Andrew Jackson Parkway and within the development.

ZONING & LAND USE POLICY

RS15

This request for preliminary PUD approval is associated with a zone change request to change from RS15 to RM6 to allow for the development of the townhouses.

Subarea 14

RLM & Unmapped RM

Land Use Policy

The RLM policy calls for residential development at 2 to 4 dwelling units per acre, however, there is an unmapped RM policy for small, isolated areas that are along an arterial street. The Residential Medium is intended for residential development at a density of four to nine dwelling units per acre. This PUD plan proposes an overall density of 4.66 dwelling units per acre, which is within the density range of the unmapped RM policy.

Staff Recommendation

Staff recommends approval of the PUD. The unmapped RM policy allows for the 4.66 dwelling units per acre proposed by the PUD plan since it is along Andrew Jackson Parkway and Chandler Road, which are both arterial streets. It also meets all zoning and subdivision requirements.

METRO PUBLIC WORKS' COMMENTS

A new site plan and TIS was submitted on 6/25/04. This new site plan reflects the recommendations of the TIS. These recommendations include future changes to the site that will be required when Chandler Road is relocated.

Therefore, Traffic recommends approval of the Zone Change and the PUD.



Project No.	Zone Change 2004Z-093U-14
Associated Case	None
Council Bill	None
Council District	14 – White
School District	4 – Nevill
Requested by	Ross Starnes and Vanessa Saenz, owners
Staff Reviewer	Harris
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Rezone .55 acres from residential single-family (RS10) to mixed use limited (MUL) district at 2874 Elm Hill Pike.

Existing Zoning
RS10 district

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

Proposed Zoning
MUL district

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

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

Yes. The proposed MUL district is not consistent with the Subarea 14 Plan’s RLM policy in this area intended for residential development within a density range of two to four dwelling units per acre. The MUL district would allow for retail and office uses within an existing residential neighborhood. Therefore, it would set a precedent and would allow for further expansion of these uses along Elm Hill Pike.

RECENT REZONINGS

Parcel 063 to the east was rezoned from R10 to MUL in May 2004, by Council. The Planning Commission recommended approval in March 2004.



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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: 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 ()	0.55	3.7	2	20	2	3

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station w/Convenience Market ()	0.55	.084	2,012	NA	157	194

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			NA	+155	+191

Maximum 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 ()	0.55	3.7	2	20	2	3

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station w Conv. Market ()	0.55	0.12	2,874	NA	224	278

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	+222	+275



Metro Planning Commission Meeting of 7/8/04

METRO SCHOOL BOARD REPORT

Projected student generation*

3 Elementary 2 Middle 1 High

Schools Over/Under Capacity

Students would attend Hickman Elementary School, Donelson Middle School, or McGavock High School. Hickman and Donelson have been identified as being over capacity by the Metro School Board. There is capacity at an elementary and middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.

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



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

Zone Change 2004Z-094U-10
2004P-017U-10
None
25 - Shulman
8 - Hart
Dale & Associates, applicant, for AE Construction, optionee.

Staff Reviewer
Staff Recommendation

Mitchell
Disapprove

APPLICANT REQUEST

Rezone 0.37 acres from residential (R10) to residential (RS7.5) as part of a requested new Planned Unit Development. The property is located along the east side of Parkview Circle, approximately 420 feet south of Granny White Pike.

Existing Zoning
R10 district

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

Proposed Zoning
RS7.5 district

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

SUBAREA 10 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 10 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 2-lot subdivision where each lot would be 7,500 square feet. The RLM policy allows for a density range of 2 to 4 dwelling units per acre, while the RS7.5 zone district allows a density of 4.94 lots per acre. The RS7.5 density is slightly over the 4 unit maximum and the proposed lot size of 7,500 square feet is inconsistent with the character and lot sizes of the surrounding area.



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RECENT REZONINGS

Yes. There was a rezoning request to rezone all of the surrounding properties from R10 to RS10. The Planning Commission recommended approval of that request and it is scheduled to go to the July 6, 2004 Council Public Hearing.

TRAFFIC

Metro Public Works Recommendation:

No exception taken.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Units per acre	Total number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (0)	0.37	3.7	1	10	1	2

Typical Uses in Proposed Zoning District: RS7.5

Land Use (ITE Code)	Acres	Units Per acre	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (0)	0.37	4.94	2	20	2	3

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	Units per acre	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			+1	+10	+1	+1

SCHOOLS

The proposed rezoning and PUD do not create an increase in students over the existing R10 zoning district.



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

Planned Unit Development 2004P-017U-10
Parkview Circle
2004Z-094U-10
None
25 - Shulman
8 - Harkey
Dale & Associates, applicant, for AE Construction, optionee.

Staff Reviewer
Staff Recommendation

Mitchell
Disapprove, since the Metro Subdivision Regulations discourage the use of flag lots and because the proposed lot sizes are inconsistent with the current Subarea 10 Plan.

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new preliminary Planned Unit Development to allow for the development of a 2-lot subdivision on an 18,000-square foot site located along the east side of Parkview Circle, and approximately 420 feet south of Granny White Pike.

PLAN DETAILS
Site Plan

The proposed PUD plan creates one 7,500-square foot lot (Lot 1) and one 7,800-square foot lot (Lot 2). Both lots would be “stacked” within the larger tract and a flag lot would be created for the 7,800-square foot lot. Each lot proposes a 2,600-square foot, two-story, residential structure. Because this subdivision is proposed as a PUD, 15% open space is required as part of the plan. This has been accomplished by providing a 2,700-square foot common space area in the southeast corner of the site, just south of Lot 2.

*Subdivision Regulations’
Discouragement of Flag Lots*

Pursuant to Sec. 2-4.2(A), the Subdivision Regulations state that flag lots generally shall not be permitted. There are instances where staff has recommended approval of flag lots in cases of topographic constraints or cases where the new subdivision’s impact would be minimal on the surrounding neighborhood. However, that is not the case in this instance since the tract is located within the RLM land use policy. The RLM policy calls for densities of 2 to 4 units/lots per acre. That density range calls for zone districts not to exceed



Metro Planning Commission Meeting of 7/8/04

Surrounding Lot Averages

the R or RS10 district. The proposed zone district of RS7.5 allows for a density of 4.94 units/lots per acre.

The average size of lots that either abut the subject site on the north or south, abut on the rear, or are across Parkview Circle are approximately 13,765 square feet or .32 acres. Those surrounding lots are 3,700 square feet larger than the base zone district of R10. The lots, as proposed, would simply meet the 7,500-square foot minimum.

METRO PUBLIC WORKS' FINDINGS

No exceptions taken

CONDITIONS

1. If ultimately adopted by the Metro Council, a final plat / PUD boundary plat needs to be recorded prior to the issuance of any building permits.
2. If ultimately adopted by the Metro Council, a sidewalk shall be constructed along the frontage of both new lots in accordance with current Metro Public Works' design standards.
3. This preliminary plan approval 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.	Subdivision 2002S-278G-13
Project Name	Arbor Crest
Associated Cases	None
Council District	33 - Bradley
School District	6 - Awipi
Requested By	Tim Turner, engineer.
Staff Reviewer	Fuller
Staff Recommendation	<i>Approve</i>

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 4/27/2004, 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.

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



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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.

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.



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- 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.
 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-203G-13
Moss Property Subdivision
None
33 - Bradley
6 - Awipi
Global Development, Inc., developer, and MEC, Inc. Engineer.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions.

APPLICANT REQUEST
Preliminary Plat

Subdivide acres into a 277 lot single-family cluster subdivision on 76.91 acres located at the south side of Mt. View Road and the north side of Pin Hook Road.

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 3.7 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 RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 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 applicant complies with this requirement by proposing a total of 25.59 acres (33%) of open space. Much of the open space is located in streams and stream buffers.

SUBDIVISION DETAILS

The applicant has set aside a greenway easement in compliance with the Antioch-Priest Lake Community Plan. This will provide an interconnected green space system for the larger community.

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

School Site Dedication

The rezoning was conditioned that prior to final plat approval, a school site, in compliance with the standards of Section 17.16.040 for elementary schools



Metro Planning Commission Meeting of 7/8/04

with a capacity of 500 students, shall be offered for dedication to the Metro Board of Education, the offer of such school site being proportional to the development's student generation potential. This school is under construction and will open this fall.

PUBLIC WORKS RECOMMENDATION

Approve with the following conditions:

1. Construct a 3 lane road cross section on Mt. View Road, with a continuous center left turn lane from Hamilton Church Road to the access Road A intersection, transitioning at this intersection per AASHTO standards. At time of development, the storage lengths for dedicated left turn lanes at Hamilton Church Road and at access Road A shall be determined.
2. Construct 2 exit lanes and 1 entering lane at Road A. The exit lanes shall provide 100 feet of storage. Document adequate sight distance.
3. Road M shall be redesigned with a cul-de-sac at Mt View Road and Road N shall be designed as the only access point on Mt. View Road. Align with any nearby driveways on opposite side of road. Document adequate sight distance.
4. Subject to construction plans review and approval by Public Works.

CONDITIONS

1. All conditions listed in the Public Works recommendations shall be required.
2. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.
3. Sidewalks are required on both sides of the streets in this subdivision and the detail on the preliminary plat needs to be updated to reflect this.
4. A flood study will be required by Stormwater prior to grading plan review and lots may be lost pending the outcome of the review.
5. The approximate 100-yr floodplain line needs to be shown on the preliminary plat.



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

Subdivision 2004S-205U-03
Curtis Place
None
2 - Isabel
1 – Thompson
Bordeaux Community Development Corporation,
owner/development, Dale & Associates, engineer.

Staff Reviewer
Staff Recommendation

Fuller
Approve, with conditions.

APPLICANT REQUEST
Preliminary Plat

Request to create 10 lots on 2.86 acres abutting the north side of Curtis Street, approximately 300 feet west of Alpine Avenue.

ZONING
R10 District

R10 district, requiring a minimum lot size of 10,000 square feet single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots. None of the lots have been identified as duplex lots.

CLUSTER LOT OPTION

The purpose of the cluster lot option is to provide for flexibility of design, the creation of common open space, the preservation of natural features or unique of significant vegetation. This proposal appears to do none of the above. Staff recommends that lot 4 be converted to common open space to comply with the purpose of the 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 R10 (minimum 10,000 sq. ft. lots) to R6 (minimum 6,000 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 applicant complies with this requirement by proposing a total of 22,500 square feet (18%) of open space but the majority of this is located in the required landscape buffer yards adjacent to developed properties.



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PUBLIC WORKS RECOMMENDATION

No exception taken. Approvals are subject to construction plan approval.

CONDITIONS

A revised plat needs to be submitted by 7/22/04 showing the following:

1. A sidewalk, with curb and gutter, is required along Curtis Street.
2. Add Subdivision Number 2004S-205U-03.
3. Cite what North bearings reference is being utilized.
4. Provide usable open space preferably converting lot 4 to common open space.



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.

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.

1. Note Subdivision Regs. call for 100 foot min. between reverse curves.



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2. Subject to construction plans [with final].
3. Due to connectivity and undeveloped adjacent land, submit access study prior to review.



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

Subdivision 2004S-191U-05
Maplewood Home Tract
None
8 - Hart
5 – Lisa Hunt
Sue Brown Shaw, owner, and Cantrell-Kemp, surveyor.

Staff Reviewer
Staff Recommendation

Fuller
Approve, including a sidewalk variance and a variance for depth to width.

APPLICANT REQUEST

Final Plat

Subdivide one existing 22,500 square foot lot into 2 lots, located along the east side of Burrus Street, approximately 790 feet west of Gallatin Pike.

ZONING

RS7.5 District

RS7.5 district, requiring a minimum lot size of 7,500 square feet and intended for single family dwellings at an overall density of 4.94 dwelling units per acre.

SUBDIVISION DETAILS

Both of the proposed lots pass the comparability requirements for 46.5 feet of frontage and 9,118 square feet of area.

The Subdivision Regulations specify a depth to width ratio of 4:1. This proposal fails that test because the lots are more than four times deeper than they are wide. The lots are 47.4 feet by 225 feet and 52.6 feet by 225 feet and are in keeping with the character of the east side of Burrus street. The 6 consecutive lots to the north of this proposal also fail the 4:1 requirement.

SIDEWALK VARIANCE

The applicant has requested a sidewalk variance along Burrus Street. The stated reason for the request is the there currently are no sidewalks on Burrus Street and the hardship of reconstructing a 47.4 foot length of street to include curb, gutter and drainage structures.

Staff recommends approval of the sidewalk variance. A section of sidewalk approximately 47.4 feet in length will require moderate reconstruction of the roadway with curb and gutter for a relatively short section of sidewalk in a mid-block location, which is inconsistent with good planning and design.



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**PUBLIC WORKS
RECOMMENDATION**

No exception taken.

CONDITIONS

Parcel number needs to be added to the lots. Lot 62A needs to be marked as Parcel 401. Lot 62B will remain parcel 20.



Project No.
Project Name

Planned Unit Development 84-74-G-14
Marriott Hotel Nashville Airport Comm.
PUD

Associated Case
Council Bill
Council District
School Board District
Requested By

None
None
15 – Loring
4 - Nevill
John Werne, architect, for Telco Research Corporation, owner.

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST

Revise Preliminary and Final PUD

A request to revise a portion of the preliminary PUD plan and for final approval for a portion of the Commercial PUD plan located along the north side of Marriott Drive, west of Ermac Drive to permit an 8,300 square foot day care center for over 75 occupants, replacing a 4-story, unbuilt, office building.

PLAN DETAILS

The proposed plan utilizes the same driveway access points as the existing, approved plan for a 4-story office building. Therefore, staff supports the revised plan using those same access points.

The proposed day care center will have a capacity of over 75, as defined by the Metro Zoning Code, and meets the following Zoning Code standards.

ORI district

Day Care Centers (Over 75 occupancy) are permitted with conditions (PC) in the ORI district.

Zoning Code Requirements

17.16.035 Institutional uses.

(Day Care Center--Over 75)

1. Circulation. At a minimum, a circular driveway shall be provided with a separate entrance and exit, clearly marked as such, and where cars can be temporarily parked to escort children into and out of the day care facility, while not blocking other cars that want to exit using the circular driveway. To ensure optimum circulation, all parking spaces on the circular driveway shall be parallel parking spaces to



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prevent cars being backed-up into the flow of exiting traffic.

Where the facility is located within a mixed-use building on the same property, the zoning administrator may waive the circulation standard provided the applicant can demonstrate, to the zoning administrator's satisfaction that the standard should not apply due to specific site or use characteristics.

2. Play Area. If an outdoor play area is provided, it shall be fenced and attached to the day care structure in a manner which minimizes noise impacts on neighboring residences.

3. Lot Area. Where a minimum lot size is required, the minimum lot area shall be the same as the principal activity, except when in the opinion of the zoning administrator circumstances warrant otherwise.

4. State Regulations. All requirements of the state that pertain to the use and operation of the facility shall be met.

5. Multi-Family Buildings. The zoning administrator may waive the above standards for multi-family housing developments of two hundred or more units if compliance would disqualify an otherwise reasonable location.

(Ord. 98-1268 § 1 (part), 1998)

METRO PUBLIC WORKS' COMMENTS

1. Label right of way width and distance to centerline.
 2. Submit trip generation comparison between existing, approved land use and daycare.
 3. Preliminary comments include driveways are not compliant with regulations. Additional median cuts will not be granted. Locate distance between driveways and intersections and locate driveways on opposite side of Marriott Drive.
-



**Project No.
Project Name**

**Planned Unit Development 103-80-U-12
Barnes Crossing
(f.k.a. Monte Carlo Square)**

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

None
None
31 - Toler
2 - Blue
Anderson-Delk & Associates, Inc., applicant, for Ole South Properties, optionee, and allowed by Vernon M. Williams III, owner.

**Staff Reviewer
Staff Recommendation**

Mitchell
Approve with conditions, including a sidewalk variance along Barnes Road with a condition that a sidewalk be constructed within a 5-foot wide public pedestrian easement, as previously approved along Barnes Road

**APPLICANT REQUEST
Amend PUD**

Request to revise the Council-approved Planned Unit Development to allow for the development of 278-unit townhouse project in place of 280 apartment units within 15 buildings. The 43-acre site is located along the north margin of Barnes Road, approximately one-third of a mile east of Nolensville Pike.

PLAN DETAILS

History:

This residential PUD was originally adopted by the Metro Council in 1980 (BL80-271) and allowed for the development of 280 multi-family units on the 43-acre tract. In 2001, a request was brought to the Planning Department proposing 170 single-family lots; however, that request was ultimately deferred indefinitely by the applicant.

Access

Access to and from the site will be via one point of ingress / egress off of Barnes Road. Since this development is proposed as a multi-family townhouse development, the access drives throughout the site will be considered private drives. Typically, connectivity to adjacent sites is not possible with private drives – and is often not recommended.

Environmental Concern

Since this site is heavily encumbered by hillside, although not all of the hillsides are in excess of 10 – 14%, significant grading will be required to construct



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the proposed townhouses. It is important to note that the provision of rip rap erosion control or retaining walls against the existing R10 zoning district calls for a larger buffer yard per Sec. 17.28.030(A)(3).

ZONING & LAND USE POLICY

R10

Although this site is currently zoned R10, which calls for single-family and duplex lots on 10,000-square foot lots, the PUD provisions prior to 1998, allowed for a PUD to be adopted on property regardless of the base zone. Today, the base zone shall only be changed / updated to be made consistent with the proposed development when the PUD plan must be heard as an amendment by the Metro Council.

RLM Land Use Policy

Although the RLM policy calls for 2 to 4 dwelling units per acre, the existence of the 1980, Council-approved PUD plan establishes and allows for the proposed density of 6.5 units per acre.

SUBDIVISION DETAILS

Sidewalk Variance

Although the applicant is requesting a sidewalk variance for approximately 1,030 feet along the frontage of Barnes Road, the plan does propose a 5-foot wide pedestrian easement for a 5-foot wide sidewalk to be- constructed by the developer outside of the public right-of-way. The Planning Commission approved an identical arrangement to the east on Barnes Road in July 2003, for the Cottage Grove preliminary subdivision

METRO PUBLIC WORKS' COMMENTS

Technical comments were provided to the applicant by Metro Public Works. All comments were satisfactorily addressed by the applicant.

CONDITIONS

1. A Tree Preservation / Removal and Grading Boundary Plan (24x36) shall be submitted prior to, or in conjunction with, the submittal of the Final PUD application.
2. This revision to the 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



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a boundary survey confirms there is less site acreage.



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

Planned Unit Development 116-83-U-11
Willowbrook Marketplace
None
None
16 - McClendon
7 - Kindall
Design & Engineering, PC, applicant, for T&M Briley Development, LLC, owner.

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions; however, disapprove any fast food restaurants, as defined by the Metro Zoning Code, since the Council-approved plan prohibited any fast food restaurants.

APPLICANT REQUEST
Revision to Preliminary & Final PUD

Request to revise the preliminary PUD and for final PUD approval to allow for the development of a 4,305-square foot bank in place of a 7,200-square foot sit down restaurant and to allow for 10,150 square feet of restaurant and 12,950 square feet of commercial retail space in place of 23,100 square feet of commercial retail, on a 12.54-acre site. The property is located on an island of land between Briley Parkway, Thompson Lane, and Interstate-24.

EXISTING ZONING
CL base zoning with Commercial PUD

Commercial Limited is intended for retail, consumer service, financial, restaurant, and office uses.

Council-enacted Special Criteria

Under this PUD establishing ordinance (BL2002-1155), specific uses were limited or listed as prohibited. They are as follows: Restaurants may only be sit down / full service and may not be fast food, and there shall be no car washes, nightclubs, or automotive repair which is incidental to any retail business.

STAFF COMMENTS

As part of the review process and pursuant to a letter drafted by the applicant's representative at Tune Entrekin & White for Councilmember McClendon's signature, staff is concerned over the allowance of a Subway restaurant where fast food restaurants were



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explicitly prohibited from the facility. Neither “fast food”, nor “sit down / full service” restaurants were defined as part of the Council-enacted specific performance criteria that were added to this PUD plan. In that case, the definitions of those entities would fall onto the Metro Zoning Code definitions. Having checked the interpretation of these two entities with the Metro Zoning Administrator, it has been found that a Subway restaurant would fall under a “fast food” definition.

"Restaurant, fast-food" means any building, room, space, or portion thereof where food is sold for consumption on-site or off-site within a short period of time, orders are made at either a walk-up or counter, payment for food is made prior to consumption, and the packaging of food is done in disposable containers.

"Restaurant, full-service" means any building, room, space or portion thereof where food is sold for consumption on-site, customers are provided an individual menu, a restaurant employee serves the customers at the same table or counter at which items are consumed, or where seating turns over at a rate of thirty minutes or more. A restaurant shall not be considered a restaurant, fast-food or restaurant, take-out solely on the basis of incidental or occasional take-out sales.

METRO PUBLIC WORKS' FINDINGS

As part of this revision, Metro Public Works requested that the Thompson Lane sidewalk be repositioned to the south side of the existing creek onto private property, with a public access easement required to be recorded as part of the revised plans. This was requested based on safety concerns because of the large retaining walls associated with the preservation of the creek along the south side of Thompson Lane as required by the state.

Additionally, a guardrail was required to be installed along the north side of the relocated sidewalk (adjacent to the creek) so as to prevent individuals from falling into the creek area. The guardrail will be screened with additional landscaping.



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Following these changes, the department issued a statement of compliance and 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 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
Associated Case
Council Bill
Council District
School District
Requested By

Planned Unit Development 2003P-014U-12
Mayfair
None
None
31 - Toler
2 - Blue
Anderson-Delk & Associates, Inc., applicant, for
Newmark Homes, owner.

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions. The proposed final PUD plan is consistent with the last Council-approved plan.

APPLICANT REQUEST
Final PUD

Request for final Planned Unit Development approval to allow for the development of a 68-unit townhouse facility on a 20.27-acre site located along the south side of Old Hickory Boulevard about one-half mile west of Edmondson Pike.

PLAN DETAILS
Site Plan

The Council-approved preliminary PUD plan, and now the final PUD plan, proposes 68 units to be constructed in 34 structures with each containing two townhouse units. The units will be accessed by an internal private drive network, including five-foot sidewalks along one side, throughout the entire development. Since there is an existing stream that runs from the northeast corner of the property, winds through the property and exits at the south property line into Cloverland Park subdivision, stormwater quality areas are proposed alongside this stream – but outside of any floodway or buffer area. The majority of the direct frontage along Old Hickory Boulevard will be preserved and dedicated as common open space due to the stream and its’ associated floodway and floodplain.

Vehicular / Pedestrian Access

Access to the site is provided only from Old Hickory Boulevard via an existing curb cut and substandard driveway that will be reconstructed to meet minimum standards.



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METRO PUBLIC WORKS' FINDINGS

Metro Public Works provided minimal comments on the preliminary plan. All comments were successfully addressed by the applicant.

CONDITIONS

1. A final plat must be recorded prior to the issuance of any building permits.
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, 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.