



Project No.
Associated Case

Zone Change 2001Z-060U-14
PUD Proposal 2003P-007U-14, Cumberland Yacht Harbor

Council Bill
Deferral
Staff Reviewer

BL2003-1462
This item was deferred at the May 22, 2003, meeting.
Leeman

Staff Recommendation

Approve with conditions.

APPLICANT REQUEST

Rezone 40 acres from residential single-family (RS10) to mixed-use general (MUG) district property at 252 Donelson Hills Drive, along the north side of Lebanon Pike.

Existing Zoning
RS10 district

RS10 zoning is intended for single-family homes on 10,000 square foot lots at a maximum density of 3.7 dwelling units per acre. The current zoning would permit 148 single-family lots on this property.

Proposed Zoning
MUG district/PUD

Mixed Use General zoning is intended for a moderately high intensity mixture of residential, retail, and office uses. It also permits a marina under the boat dock use category. MUG permits a maximum floor area ratio (FAR) of 3.0, and a maximum height of 65 feet at the setback line. (See PUD proposal 2003P-007U-14).

SUBAREA 14 PLAN POLICY
Natural Conservation (NC)

NC policy is designed 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 intensities. The NC policy was applied to the floodplain of the Cumberland River and Mill Creek.

Policy Conflict

At the May 22, 2003, meeting the Commission asked staff to review the policy further to determine if this project is consistent with the plan.

After reviewing the Concept 2010 Plan and the Subarea 14 Plan further, staff notes that there is some ambiguity between the two adopted plans.

Concept 2010 Plan

The General Plan (Concept 2010) is a much broader plan in its scope, which supports a marina if there is a



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legitimate need. Since this property is located on a major arterial with very good access, and in proximity to the Cumberland River, staff believes it is an appropriate site to be considered for a marina *if environmental considerations can be addressed*.

Since a marina is a unique use with a very limited number of potential sites, staff feels that this proposal is in line with the overall intent of the Concept 2010 General Plan. Within the “Residential Environment” component there is a section concerning parks and recreation facilities. The General Plan states:

The Cumberland River, tributaries and reservoirs constitute a major recreational resource in Davidson County. Acceptable water quality standards must be maintained in order to preserve the waterways for fishing, boating, and other water-related activities. Public access points and facilities such as docks and boat launches should be maintained, and new ones constructed as required by reasonable public demand The recreation facilities of private or semiprivate organizations often provide a supplement to public facilities. The development of such facilities should be encouraged to the extent that legitimate demand can be shown to exist for the proposed facilities, and that compatible land development patterns can be served. (General Plan, page 26-28)

Staff has contacted several local marina’s who have indicated they are full or 95% full; several have waiting lists for boats slips. Rock Harbor marina on the Cumberland River, for example, has approximately 170 boat slips and representatives indicated there is a waiting list for boat slips.

The Subarea 14 Plan designates this property as Natural Conservation (NC). Although this property falls within the NC policy, the Subarea 14 plan does not rule out development entirely:

Subarea 14 Plan



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[D]evelopment of any part of this NC area that is approved for alteration and removal from the floodplain should be guided by the adjoining RLM policy. Greenway plans affect this area and should be taken into account as part of the review of any development proposals involving sites in this area. A portion of this area on the north side of Lebanon Pike and west of Mill Creek is included in an area approved for medium density residential development. That development approval should continue to be recognized; however, a voluntary reduction in density is encouraged. (Page 53, Subarea 14 Plan).

While the MUG district is not typically consistent within the NC policy, a site-specific PUD plan has been submitted limiting the uses to residential and general commercial uses, not heavy commercial or semi-industrial uses.

RECENT REZONINGS

None

TRAFFIC

Based on the trip generation numbers from the traffic impact study for the marina, condominiums, and retail uses, this proposal will generate 5,470 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

See Traffic conditions below.

SCHOOLS**Students Generated**20 Elementary 13 Middle 10 High**Schools Over/Under Capacity**

Students will attend Pennington Elementary School, Two Rivers Middle School, and McGavock High School. Pennington has been identified as being overcrowded by the Metro School Board.



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CONDITIONS

The following conditions have been made part of the council bill and should be bonded or completed prior to final plat recordation.

1. At project access, construct one northbound entering lane, one southbound left turn lane with 150' storage and taper and one right turn lane with 150' storage and taper per AASHTO standards.
2. Construct a Left turn lane on Lebanon Road for cars entering project site. Include 200 ' storage and taper per AASHTO standards. The left turn lane shall be constructed to minimize the existing curvature of Lebanon Rd.
3. Developer shall design & install a traffic signal at the project access /Lebanon Road intersection. Design shall be submitted to Public Works for approval. The signal shall include a left turn phase for the eastbound left turns. The signal shall be installed when 25% of the traffic for any combination of the different land use development has been generated. Since a right turn acceleration lane will not be constructed a right turn overlap phase for southbound right turns shall also be designed.
4. Construct a minimum of 869 parking spaces.
5. Construct a continuous median, minimum 4' width or greater, from the project access entrance north to the traffic circle on project main road.
6. Construct one access road to outparcel from main project road. One lane exiting and one lane entering shall be constructed. Only right turn in and right turn out shall be allowed.
7. All roadways within the project shall be private. Developer shall provide all required signage and pavement markings per MUTCD standards. Developer shall be responsible for all road and landscape maintenance.



Project No.
Project Name
Council Bill
Associated Case
Deferral

Planned Unit Development 2003P-007U-14
Cumberland Yacht Harbor
BL2003-1463
Zone Change Proposal 2001Z-060U-14
This item was deferred at the May 22, 2003, Planning Commission meeting.
Leeman

Staff Reviewer

Staff Recommendation

Approve with conditions

APPLICANT REQUEST
Preliminary PUD

This is a request to apply a Planned Unit Development district on 40 acres located along Donelson Hills Drive, Lebanon Pike and along Mill Creek.

This proposal includes 181 condominium units, 50,735 square feet of retail, restaurant, office, and convenience market uses, and a public marina including 225 boat slips.

Proposed Zoning
MUG district

Mixed Use General property has a base zoning of RS10 currently, while MUG is proposed (see Zone Change Proposal 2001Z-060U-14) with a PUD overlay.

PLAN DETAILS

This plan proposes to cut approximately 600,000 cubic yards of material from the 12.8 acre portion of the 40 acre site proposed for the waterway of the marina. Dirt/material is proposed to be relocated to other areas on site and to an area within the existing Belle Acres PUD on the south side of Mill Creek. Dredging of the Mill Creek channel will provide an average channel depth of seven feet and an average marina depth of 10 feet.

Stormwater Management

The applicant was granted approval by the Metro Stormwater Management Committee on December 19, 2002, "To allow the disturbance of the existing Mill Creek floodway and floodway buffer to accommodate the proposed development as shown on the plan of record. To allow the disturbance of the proposed floodway buffer as shown on the plan of record."

On May 22, 2003, the Stormwater Management Committee approved with conditions the applicant's request to allow uncompensated cut-and-fill.



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Follow-up questions from May 22, 2003:

The Commission requested further information regarding erosion controls and other issues from the Metro Water Service Dept.

Q1. What erosion control measures will be required? This includes during construction and during the operation of the marina. What role does Water Services play and what role do the other reviewing agencies have, like the Corp of Engineers, TDEC, etc?

A1. As per section 2.7 of the Stormwater Management Manual they will be required to conduct their development in a manner that minimizes soil erosion and resulting sedimentation in keeping with Metro's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit. As to the specific requirement of this plan it is too early to speak as no final plans have yet been prepared. This would be for construction only as the only feature that would have a binding maintenance agreement would be a water quality feature which would address pollutants from the site, not strictly erosion. Water Services would see that the Stormwater Regulations were applied and enforced. Other agencies such as the Corp of Engineers, TDEC, etc would have other guiding regulations that they would be responsible for.

Q2. What kind of review does Water Services provide for this kind of project? Does Water Services review only for stormwater management issues, or do they review for potential erosion and stabilization problems that may occur?

A2. The same as it would for any project. It would be reviewed for stormwater management issues as it would also be review in Water Services for water supply issues and sewer service issues. It would also be reviewed for traffic and roadway issues at Public Works. The Corp of Engineers would have environmental and navigation issues to be concerned with. TDEC would also have environmental issues.



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Q3. Is there an existing sewer pipe running through Mill Creek that will have to be relocated?

A3. Possibly. The report claims that a 70 foot wide channel would be available at a 375 elevation. Our record drawing indicates to achieve that might interfere with our existing sewer line. At present the applicant has made no proposals to relocate the line.

Q4. Are there any bank stabilization requirements on the south side of Mill Creek next to the existing and proposed residential uses? Are there above-ground and underground stabilization requirements?

A4. Not from this Department. The Corps of Engineers has some requirements for that and we have been approached for an exemption from our rules to place rip-rap in the buffer area. That was granted with an exemption for fill for the development. There can be both types of stabilization techniques but as to what is required you would need to ask the Corps of Engineers.

Corps of Engineers

The Corps of Engineers has indicated that they do not have any rules or regulations that would limit the number of boats slips within the marina. The Corps of Engineers will require the developer to obtain a 404 Permit, however, which is “a program to regulate the discharge of dredge and fill material into waters of the United States.” Bank stabilization measures and erosion control measures are considered with the 404 Permit. The Corps will also require a “Section 10” permit, which is associated with their oversight of the navigable channel.

STAFF RECOMMENDATION

Staff is recommending conditional preliminary PUD approval with conditions including requiring Corps of Engineer’s approval prior to final PUD approval. The applicant will be required to obtain all permits required by the Corps of Engineers prior to final PUD approval. The applicant will be required to obtain a conditional letter of map revision from FEMA, and a 401 Water Quality Certification permit from the Tennessee Department of Environment and Conservation (TDEC), as well.



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Plan Design

The PUD plan is designed with the buildings oriented toward the marina (Mill Creek). Staff is recommending conditional approval with a condition that the final site design for the outparcel and the corner of the commercial building facing Lebanon Pike be subject to design modifications to orient the buildings toward Lebanon Pike with any final PUD submittal for these portions of the plan.

Property Owners Signatures

Since this plan will require off-site dredging and dredging of properties within or adjacent to the Mill Creek waterway, additional signatures of adjacent property owners will be required. Prior to adoption of the Preliminary PUD plan by the Metro Council, the applicant will be required to obtain signatures from the owners of the following parcels: Map 84, Parcel 12, Map 94, Parcel 16, Map 95-01 Parcel 69, Map 95-06, Parcel 6.01, and Map 95-02, Parcel 137.

New Conditions

Prior to final PUD approval by the Planning Commission, the applicant must obtain signatures on the final PUD plan, or a letter indicating approval of the plan, from the owners of any property that is identified as affected property in any permit issued by the Department of the Army or Tennessee Department of Environment and Conservation.

Additionally, prior to final PUD approval by the Planning Commission, the applicant must provide proof that all final permits required by the Department of the Army and Tennessee Department of Environment and Conservation have been issued by those agencies for disturbance of the Mill Creek.

Greenway/Conservation Easement

The proposed plan provides a "Conservation/Greenway public access trail easement area" through the development. The Metro Greenways Commission has approved the proposed design that provides a trail from the Cumberland River to Lebanon Pike, including a pedestrian bridge from the marina area to the Belle Acres PUD. This will be conditioned upon the applicant providing construction details of the trail with the final PUD. The trail standards must be approved by the Metro Greenway Commission at the final PUD stage.



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TRAFFIC

The plan proposes private driveways throughout the development, while several changes are proposed at the entrance at Lebanon Pike. A new traffic signal is proposed at this intersection, as well as a westbound right-turn lane and an eastbound left-turn lane.

Traffic Engineer's Recommendation

See traffic conditions below.

CONDITIONS

1. Prior to the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Departments of Water Services and Public Works shall forward confirmation of preliminary approval of this proposal to the Planning Commission.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
4. Prior to adoption of the Preliminary PUD plan by the Metro Council, the applicant will be required to obtain signatures from the following property owners: Map 84, Parcel 12, Map 94, Parcel 16, Map 95-01 Parcel 69, Map 95-06, Parcel 6.01, and Map 95-02, Parcel 137.
5. Prior to final PUD approval by the Planning Commission, the applicant must obtain signatures on the final PUD plan, or a letter indicating approval of the plan, from the owners of any property that is identified as affected property in any permit issued by the Department of the Army or Tennessee Department of Environment and Conservation.
6. The final site design for the out parcel and the corner of the commercial building facing Lebanon



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Pike must be modified to orient the buildings toward Lebanon Pike with any final PUD submittal for these portions of the plan.

7. Prior to final PUD approval by the Planning Commission, the applicant must provide proof that all final permits required by the Department of the Army and Tennessee Department of Environment and Conservation have been issued by those agencies for disturbance of the Mill Creek.
8. The final PUD plan shall indicate the construction details of the trail. The trail standards must be approved by the Metro Greenway Commission, prior to submittal of the final PUD plan.
9. At project access, construct one northbound entering lane, one southbound left turn lane with 150' storage and taper and one right turn lane with 150' storage and taper per AASHTO standards.
10. Construct a left turn lane on Lebanon Road for cars entering project site. Include 200' storage and taper per AASHTO standards. The left turn lane shall be constructed to minimize the existing curvature of Lebanon Rd.
11. Developer shall design & install a traffic signal at the project access /Lebanon Road intersection. Design shall be submitted to Public Works for approval. The signal shall include a left turn phase for the eastbound left turns. The signal shall be installed when 25% of the traffic for any combination of the different land use development has been generated. Since a right turn acceleration lane will not be constructed a right turn overlap phase for southbound right turns shall also be designed.
12. Construct a minimum of 869 parking spaces.
13. Construct a continuous median, minimum 4' width or greater, from the project access entrance north to the traffic circle on project main road.



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14. Construct one access road to the outparcel from main project road. One lane exiting and one lane entering shall be constructed. Only right turn in and right turn out shall be allowed.
15. All roadways within the project shall be private. Developer shall provide all required signage and pavement markings per MUTCD standards. Developer shall be responsible for all road and landscape maintenance.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

36-76-G-14
Belle Acres, Section 2
None.
Zone Change 2001Z-060U-14 and PUD 2003P007U-14
Leeman

Staff Recommendation

Approve with conditions as an amendment

APPLICANT REQUEST

Revised Preliminary

The applicant has requested a revision to a portion of the preliminary plan of the Residential PUD district to permit the addition of 74 multi-family units for a total of 209 units in Section 2, where the original plan was approved for 303 units by the Metro Council.

At the May 22, 2003 Planning Commission meeting, the Commission indicated that this application should be treated as an amendment due to the scope of the proposed changes. Under Section 17.40.120G2a of the Zoning Code, the Planning Commission determines if a proposed change is to be considered a revision or an amendment, requiring Metro Council approval.

Proposed Zoning
RS10/Res. PUD

RS10/Res.PUD property has a base zoning of RS10 currently, while the Metro Council adopted a PUD overlay in 1976. Section 1 included single-family homes, while Section 2 was approved for multi-family development.

PLAN DETAILS

Stormwater Management

The proposed plan adds 74 multi-family units to an area of the plan originally slated for development, but subsequently revised for open space.

This proposal maintains the required 50-foot floodway buffer, while it proposes development in the floodplain. Approximately 95% of Section 2 is encumbered by floodplain. Under the current floodplain regulations 50% of the floodplain area is to be preserved in a natural state, unless previously disturbed. Since this site has previously been disturbed, the recently adopted floodplain ordinance will not be applicable.



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Greenway/Conservation Easement

The proposed plan provides a “Conservation/Greenway public access trail easement area” through the development. The Metro Greenways Commission has approved the proposed design that provides a trail from western end of the property line to the bridge at Lebanon Pike. The Greenway Easement will also connect to the proposed marina on the north side of the property by way of a new pedestrian bridge proposed in the marina development.

TRAFFIC

A left-turn and right-turn lane have been constructed on Lebanon Pike into the project entrance with the development of Phase 1 of Section 2.

Traffic Engineer’s Recommendation

No exception taken.

CONDITIONS

1. Prior to the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Departments of Public Works and Water Services shall forward confirmation of preliminary approval of this proposal to the Planning Commission.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
4. Prior to the issuance of any grading or building permits for this proposal, the Metro Council must approve PUD proposal 2003P-007U-14 for the Cumberland Yacht Harbor since the fill dirt required to elevate this site above the 100 year floodplain will come from that site on the other side of Mill Creek.
5. Any future final PUD plans for Section 2 must include a “Conservation/Greenway Public Access trail easement area” from the western property line



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to the eastern property line, as required by the Metro Greenway Commission.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-080U-12
BL2003-1486
None
Reed

Staff Recommendation

Disapprove RM20 but approve RM9

APPLICANT REQUEST

Rezone 4.45 acres from AR2a to RM20 district property located at 91 Tusculum Road, at Benzing Road.

Existing Zoning
AR2a district

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

Proposed Zoning
RM20 district

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

SUBAREA 12 PLAN POLICY
Residential Medium-High (RMH)

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

Area 5G Policy

“This area includes the Brentridge, Timberlake and Saxony apartments with densities ranging from 9 to 15 units per acre. [I]n addition to the standard RMH policies, the following guideline applies to development in this area: *For the portion of this area with primary access from Tusculum and Benzing Roads, developments should be at the lower-end of the density range.*

POLICY CONFLICT

Yes. The property is located at Tusculum and Benzing Road. RM20 zoning would allow 20 units per acre or 89 total units. The subarea plan clearly indicates a desired density limit of 9 units per acre, which would allow a total of 40 units on this property. Appropriate zoning for this parcel would be RM9. Staff recommends that the Commission approve RM9 for this parcel and that the council bill be amended to RM9.



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RECENT REZONINGS

None.

TRAFFIC

Based on typical uses in the RM20 district, approximately 590 vehicle trips per day could be generated. RM9 would generate approximately 265 trips. (Institute of Transportation Engineers, 6th Edition, 1996.) Other uses at different densities could generate more or less traffic.

TRAFFIC ENGINEER'S COMMENTS

At its June 12 meeting, the Commission requested that the Metro Public Works Department further review the traffic conditions at this location and make additional recommendations. Following that request, the Department provided the following recommendation: **“With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.”**

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

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

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



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

SCHOOL STUDENTS GENERATED

Schools Over/Under Capacity

6 Elementary 4 Middle 4 High

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



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-033U-14
None
BL2003-1467
Leeman

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 1.19 acres from residential (R10) to commercial limited (CL) district property at 312 Donelson Pike, between Donelson Pike and Seneca Drive.

Existing 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.

Proposed Zoning
CL district

Commercial Limited (CL) is intended for a wide range of commercial uses including, retail, consumer service, financial, restaurant, and office uses.

SUBAREA 14 PLAN POLICY

Commercial Mixed
Concentration (CMC)

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

Commercial Arterial
Existing (CAE)

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

Policy Conflict

No. The CL district is consistent with the CAE and CMC policies as “this district may be used in areas policed for concentrations of mixed commercial development.” Because this area falls within the airport noise contours, the Subarea 14 Plan calls for this area to transition to commercial uses over time.



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This area along Donelson Pike has been transitioning to commercial and is already commercial in many places. The properties from McCampbell Avenue to Emery Drive on the east side of Donelson Pike are currently zoned CL, while there are 6 parcels on the west side of Donelson Pike zoned non-residential currently.

RECENT REZONINGS

The Planning Commission approved CL zoning on parcel 55 to the south in 1999.

TRAFFIC

Based on typical uses in the CL zoning, this proposal will generate 2,798 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.



Project No.
Associated Case
Council Bill

Zone Change 2003Z-048U-13

None
BL2003-1381 *This rezoning was referred to the Planning Commission after being deferred on third reading at Metro Council.*

Staff Reviewer

Fuller

Staff Recommendation

Disapprove as amended. The current request is to remove condition 2 which restricts industrial traffic to Reynolds Road. A replacement condition has been proposed by Councilman Derryberry requiring that all traffic, both industrial and residential, use Smith Springs Road as the sole access. This proposal is not in keeping with the intent of the Subarea 13 plan which clearly states industrial traffic is not to have access through the Smith Springs Road residential area. Furthermore, the plan envisions that the Reynolds Road area will develop as industrial in the future and that Smith Springs Road will remain primarily residential.

APPLICANT REQUEST

Rezone 40.27 acres from Residential (R20) to (RM9) and Industrial Warehousing/Distribution (IWD), at 1792 Reynolds Road and Smith Springs Road (unnumbered), abutting the northern margin of Smith Springs Road and the eastern margin of Reynolds Road.

Existing Zoning
R20 district

R20 zoning is intended for single-family homes and duplexes at 1.85 units per acre.

Proposed Zoning
RM9 district

RM9 zoning is intended for multi-family units at 9 units per acre.

IWD district

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

SUBAREA 13 PLAN POLICY
Residential Medium (RM)

RM policy allows four to nine dwelling units per acre.

Policy Conflict

Partial. The policy shown on the Land Use Policy Map is RM. RM permits 4 to 9 dwelling units per acre and supports the requested RM9 zoning.



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There is additional text in the Subarea 13 plan that endorses some IWD policy in this area, *“Those properties that are oriented away from Smith Springs Road and drain to the north are considered to be within the adjoining industrial policy area 14E.”* However, the orientation away from Smith Springs Road applies to traffic in addition to land use, *“Industrial traffic from the adjacent Industrial Policy area (14E) should not have access to Bell Road and Murfreesboro Pike through this residential area.”*

It appears that the topography breaks approximately 850 feet from Smith Springs Road and the land drains to the north. To comply with the above text, the request would need to be redrawn to include the additional area (approximately 7 acres) up to the break.

RECENT REZONINGS

An application for MUL and CS (Council Bill 2003-1326) was before the Planning Commission on February 13, 2003 (Disapproved 8-0). The bill failed at Council on March 4, 2003.

TRAFFIC

Based on typical uses in RM9, this proposed zoning would generate approximately 332 to 376 trips per day. Typical uses in the IWD would generate 2,142 to 8,258 trips per weekday (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer’s Findings

The Public Works Department has indicated they can do no further review of this item without additional information. No Traffic impact study has been submitted.

SCHOOLS

Students Generated

4 Elementary 3 Middle 2 High

Schools Over/Under Capacity

If the property were developed under the proposed zoning, 9 students would be generated. Students would attend Una Elementary, Apollo Middle School and Antioch High School. All schools have been identified as overcrowded by the Metro School Board.



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CONDITIONS

1. A condition has been added to the bill that a detailed traffic impact study has been approved by the Metro Traffic Engineer in conjunction with and subdivision or development application.
2. A condition needs to be added to the bill that limits access to the IWD property from Reynolds Road only in order to avoid the residential area of Smith Springs Road.
3. Approximately 7 additional acres (for a total of approximately 13 acres) has been added to the area to be rezoned to RM9, rather than IWD, in order to comply with the Subarea 13 plan. This is now reflected in the Council Bill.

Note: These conditions are all contained in the bill currently pending in the Metro Council. Councilman Derryberry has requested Commission review of a proposal to remove condition #2.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-050U-08
None
BL2003-1446
Leeman

Staff Recommendation

Approve rezoning of parcels 200, 201, and 202, but disapprove rezoning parcels 193 and 197 and recommend that the council bill be amended to remove parcels 193 and 197.

APPLICANT REQUEST

Rezone 0.82 acres from residential single-family and duplex (R6) to office limited (OL) properties at 2800, 2802, 2804, 2902, and 2910 Felicia Street.

Existing Zoning
R6 district

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

Proposed Zoning
OL district

Office Limited (OL) is intended for moderate intensity office uses.

SUBAREA 8 PLAN POLICY

Neighborhood General (NG)

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

Transition or Buffer
*(Draft Detailed
Neighborhood Design Plan)*

The draft detailed neighborhood design plan for the McKissack Park area is scheduled to be presented to the Commission on July 10, 2003. This plan designates this area as a transition or buffer area between the existing residential neighborhood and the warehouse/storage facility on parcel 206 to the south.

Policy Conflict

Without a detailed neighborhood design plan, the Subarea 8 Structure Plan calls for this area to remain predominantly residential in character. However, the



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draft Detailed Neighborhood Design Plan for McKissack Park allows for OL zoning if done in a comprehensive manner. This proposal includes three parcels on the corner of 28th Avenue N. and two parcels that are not contiguous along Felicia Street. Since the proposed OL district is consistent with the intent of the Subarea 8 Plan's Transition policy calling for small offices, staff recommends approval of the three parcels along 28th Ave N., but not the two non-contiguous parcels along Felicia Street. Staff recommends that the Council bill be amended to remove parcels 193 and 197.

RECENT REZONINGS

No.

TRAFFIC

Based on typical uses in the OL zoning, approximately 89 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

No exception taken.

CONDITIONS

The Council bill should be amended to delete parcels 193 and 197 on tax map 92-10.



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Council Bill
Staff Reviewer

Zone Change 2003Z-051G-06
None
BL2003-1420
Leeman

Staff Recommendation

Disapprove

APPLICANT REQUEST

Rezone 0.51 acres from commercial-limited (CL) to commercial services (CS) at Highway 100 (unnumbered), east of the Natchez Trace Parkway.

Existing Zoning
CL district

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

Proposed Zoning
CS district

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

SUBAREA 6 PLAN POLICY

Natural
Conservation (NCO)

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

Due to their environmentally sensitive character, NCO areas are generally unsuitable for conventional suburban or urban development. The predominant types of land use anticipated in these areas are very low intensity residential, commercial (convenience scale) and community facility developments. Examples of low intensity, non-residential development include convenience retail, athletic fields, and hiking trails. Agricultural uses are also found in NCO areas. Specific residential densities in NCO areas should be determined



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Policy Conflict

by physical site characteristics and the availability of services, particularly sewers. In general, the more environmentally sensitive or remote a site is, the lower the acceptable density. In general, densities should not exceed one dwelling unit per two acres.

Yes. The proposed CS district is not consistent with the intent of the Bellevue Community Plan's NCO policy calling for neighborhood scaled commercial uses in an area such as this. The CS district is more intense than what is called for at this interchange. CS zoning allows for more intense commercial uses than what the plan calls for, and it does not permit residential uses.

RECENT REZONINGS

No. However, this property was rezoned from CS to CL with the overall zoning update on January 1, 1998. The councilmember at the time supported this change.

TRAFFIC

Based on typical uses in the CS zoning, approximately 561 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

No exception taken.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-081G-14
BL2003-1442
None
Scott

Staff Recommendation

Disapprove

APPLICANT REQUEST

Existing Zoning
RS10 zoning

Rezone 1.64 acres from residential (RS10) to mixed use limited (MUL) at 3128 Elm Hill Pike.

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

Proposed Zoning
MUL zoning

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

SUBAREA 14 PLAN POLICY
Residential Medium (RM)

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

Policy Conflict

Yes. The RM policy allows for a variety of housing types, with a density of four to nine dwelling units per acre. The proposed MUL district allows multiple uses, to including office, retail and restaurant, which are inconsistent with the RM policy. Under the MUL zoning, approximately 70 apartments could be developed if this parcel were developed as residential. This assumes each multi-family unit has 1,000 square feet of floor area.

The surrounding development includes single-family to the north and east, duplexes to the south and west and a residential PUD that has some multi-family units to the west. There is no commercial development or zoning in this area. This area is built at a medium density with a variety of housing types.

The MUL district is the least intense zone district that would allow the applicant to build a daycare for more



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than 75 children at this particular location. One of the conditions of sale for this property is that a daycare, and not housing, be developed on this site. However, MUL does allow for commercial development and that is not consistent with the policy for the area.

RECENT REZONINGS

No.

TRAFFIC

Based on typical uses in MUL district, this proposed zoning could generate between 339 for day care uses (75 students) and 2,888 vehicle trips per day if developed as retail. (Institute of Transportation Engineers, 6th Edition, 1996) Other uses at different densities could generate more or less traffic.

Metro Traffic Engineer's Findings

Approve

SCHOOLS Students Generated

8 Elementary 5 Middle 4 High School

Schools Over/Under Capacity

Students will attend Hickman Elementary School, Donelson Middle School, and McGavock High School. Hickman Elementary School and Donelson Middle School have been identified as overcrowded by the Metro School Board.

This information is based upon 2002-03 data from the school board.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-083G-08
BL2003-1436
None
Scott

Staff Recommendation

Disapprove zone change from IWD district to MUG district and approve zone change from IWD district to MUL district. Recommend Council Bill be changed from MUG to MUL.

APPLICANT REQUEST

Rezone 2.0 acres from industrial warehousing/distribution (IWD) to mixed use general (MUG) at 220 French Landing Drive.

Existing Zoning
IWD district

Industrial Warehousing/Distribution (IWD) is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

Proposed Zoning
MUG district

Mixed Use General (MUG) is intended for a moderately high intensity mixture of residential, retail, and office uses.

MUL district

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

ZONE CHANGE DETAILS

Staff recommends approval of a zone change from IWD district to MUL district. The requested MUG district, however, is not permitted under the Neighborhood Urban policy. MUL district is permitted and will allow the applicant to comply with the land use policy while still receiving a zone change that will allow the intended expansion of the existing business.

SUBAREA 8 PLAN POLICY
(NU) Neighborhood Urban

NU is intended to apply to existing areas with a diverse mix of residential and nonresidential uses that are envisioned to remain as such, and for emerging and future areas where a similar mix of development is planned. NU areas include single- and multi-family residential and civic and public benefit activities.

Policy Conflict

The NU policy allows the MUL district with an associated PUD and arterial street frontage. This parcel



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is already developed and this request would allow additional uses with an expansion to the existing building.

Standard Policy 2, RE: Nonconforming Development, Chapter Three, Subarea Eight Plan Policy allows for the consideration of proposals in which “(1) the currently applicable land use regulations allow development that is not in conformance with the ‘structure plan’ and (2) the proposed change would apply regulations that would move toward conformance with respect to both the types and intensity of development intended in that ‘structure plan area’ based on the provisions in Table 12.” (Table 12 outlines the appropriate uses in this area).

This proposal is to change from a non-conforming zoning district in terms of policy to a zoning district that is closer to the type and intensity of development listed in the subarea plan.

RECENT REZONINGS

Yes. On May 5, 1999, the Planning Commission recommended approval of a zone change (99Z-070U) request for parcel 10, Great Circle Road. On August 11, 1999, the Metro Council approved a rezoning of this property located to the north from IWD to MUG. This request was consistent with the subarea plan at that time.

TRAFFIC

Based on typical uses in MUG district approximately 1,053 to 2,877 vehicle trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996) Other uses at different densities could generate more or less traffic.

Based on typical uses in MUL district approximately 22 to 576 vehicle trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996) Other uses at different densities could generate more or less traffic.

Metro Traffic Engineer’s Findings

Approve

SCHOOLS Students Generated

28 Elementary 18 Middle 14 High



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For MUG district Schools Over/Under Capacity

Students will attend Andrew Jackson Elementary School, Dupont-Hadley Middle School, and McGavock High School. Andrew Jackson Elementary and Dupont-Hadley Middle School has been identified as being overcrowded by the Metro School Board.

The numbers for MUG zoning are based upon students that would be generated if the MUG 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. This information is based upon 2002-03 data from the school board.

Students Generated For MUL district Schools Over/Under Capacity

9 Elementary 6 Middle 5 High

Students will attend Andrew Jackson Elementary School, Dupont-Hadley Middle School, and McGavock High School. Andrew Jackson Elementary and Dupont-Hadley Middle School has been identified as being overcrowded by the Metro School Board.

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. This information is based upon 2002-03 data from the school board.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-084U-10
2003M-066U-10
BL2003-1449
Bond

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 0.79 acres from office/residential intensive (ORI) and commercial services (CS) to mixed use general (MUG) district property at 203 Louise Ave., 2214 Elliston Place, and Elliston Place (unnumbered), north of West End Avenue.

Existing Zoning
ORI district

Office/Residential Intensive (ORI) is intended for high intensity office and/or multi-family residential uses with limited retail opportunities. ORI allows an F.A.R. of 3.00.

CS district

Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, auto-repair, auto sales, self-storage, light manufacturing and small warehouse uses. CS allows an F.A.R. of 0.60.

Proposed Zoning
MUG district

Mixed Use General (MUG) zoning is intended for a moderately high intensity mixture of residential, retail, and office uses. MUG allows an F.A.R. of 3.00.

SUBAREA 10 PLAN POLICY

Mixed Use (MU)

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

Area 8A Policy

This area contains Elliston Place and Hillsboro Village. "Both of these areas are intended for less intensive mixed-use development patterns. . . . In the section of 8A containing Elliston Place, it is recommended that the existing scale of buildings and types and variety of uses be maintained. This recommendation is especially noteworthy given the intensity of use recommended for the MU policy area it abuts."



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Policy Conflict

Yes. MUG allows for moderately high intensity development. The subarea plan calls for a less intensive MU policy in this area. MUG allows a Floor Area Ratio (FAR) of 3.00 and a maximum height at the setback line of 65-feet, while MUL would allow for an FAR of 1.00 and maximum height at the setback line for MUL is 30-feet. Surrounding zoning is ORI, which allows an FAR and maximum height at the setback line consistent with MUG zoning.

Although the subarea plan calls for a less intensive mixed use zoning, MUG is in keeping with the existing density and scale of buildings that is permitted by the ORI zoning that applies to a portion of this property and to the majority of the surrounding area. MUG also allows the mixture of uses that are encouraged under the MU policy that applies in this area. Unless the Subarea policy for this area changes, however, then MUG and similar intensity zoning districts should not be allowed in the future any further to the east on Elliston Place.

RECENT REZONINGS

None

TRAFFIC

Based on typical uses in MUG, this proposed zoning could generate approximately 684 vehicle trips per day if developed as residential uses, 1,137 trips if developed as office uses, and 4,199 trips if developed as retail uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

This zone change request may have conditions or we may require a TIS once the future development plans are submitted.

SCHOOLS

7 Elementary 6 Middle 5 High

Schools Over/Under Capacity*

Students would attend Harpeth Valley Elementary, Bellevue Middle School and Hillwood High School. Harpeth Valley and Bellevue have been identified as being overcrowded by the Metro School Board. This



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information is based upon 2002-03 data from the school board.

*The numbers for MUG zoning are based upon students that would be generated if the MUG zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,000 sq. ft. at an F.A.R. of 3.00.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-085U-10
BL2003-1479
2003M-070U-10
Scott

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Rezone 0.68 acres from residential multi-family (RM20) to commercial services (CS) at Acklen Avenue (unnumbered).

Existing Zoning
RM20 zoning

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

Proposed Zoning
CS zoning

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

SUBAREA 10 PLAN POLICY
Residential Medium (RM)

RM policy is intended for residential development at 4 to 9 dwelling units per acre. The intent of the policy is to conserve the existing residential character of the neighborhood.

Policy Conflict

No. There is existing CS zoning along 12th Avenue South and the subarea plan recognizes existing local retail convenience nodes in the area and recommends these areas be “conserved and revitalized.” The subarea plan also states, “these locations are not, however, considered suitable for commercial expansion into surrounding residential areas.”

This application is to change the zoning on property that is currently vacant, not residential in use, and only accessible by an alleyway. The consolidation of this vacant lot with one or more of the existing parcels along 12th Avenue South that are zoned CS will provide direct access to this lot and not intrude into the surrounding residential areas. This zone change would serve as the limit for zone changes to commercial districts in this area.



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This property, which is owned by the Metropolitan Government, is the subject of Mandatory Referral 2003M-070U-10, which is also on the Commission's agenda for June 26, 2003.

RECENT REZONINGS

None

TRAFFIC Metro Traffic Engineer's Findings

There may be conditions or a Traffic Impact Study requirement once the future development plans are submitted.

CONDITIONS

1. Prior to the issuance of any building permits, this parcel must be consolidated with one or more of the existing parcels along 12th Avenue South that are zoned CS.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-086G-04
BL2003-1483
None
Scott

Staff Recommendation

Disapprove

APPLICANT REQUEST

Rezone 11.76 acres from office/residential (OR40) and residential/multi-family (RM9) to office/residential (ORI) and office/residential (OR20) at 1310, 1314, 1318, and 1320 Briarville Road, Cheron Road (unnumbered) and Shields Lane (unnumbered).

Existing Zoning
RM9 zoning

Residential Multi-family (RM9) is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

OR40 zoning

Office/Residential (OR40) is intended for office and/or multi-family residential units at up to 40 dwelling units per acre.

Proposed Zoning
OR20 zoning

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

ORI zoning

Office/Residential Intensive is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

SUBAREA 4 PLAN POLICY
Residential Medium (RM)

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

Office Concentration (OC)

The OC policy is intended for existing and future large concentrations of office development. The predominant use in OC policy is office. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least RMH density are also an appropriate secondary use.



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Policy Conflict

Yes. The applicant is proposing OR20 zone district in the Residential Medium policy area. RM policy allows for a mix of housing types within a density range of four to nine dwelling units per acre. The proposed OR20 district allows up to 20 dwelling units per acre and office, retail and restaurant uses and is inconsistent with RM policy. The applicant indicates assisted living development may be a main focus. This use would be allowed in a less intense RM zone district that would also be consistent with the policy.

There is also a policy conflict with the proposed ORI zone district in the Office Concentration policy area. OC policy allows for residential development of at least 9 to 20 dwelling units per acre. The ORI zone district has a FAR (floor to area ratio) of 3.0. This allows three times the lot area in building square footage. If the ORI were developed as residential multi-family, 1,000 square foot apartments would allow approximately 130 dwelling units acre, far exceeding the allowable density of the OC policy.

RECENT REZONINGS

None

TRAFFIC

Based on typical uses in ORI district approximately 5,569 for apartments and 9,248 vehicle trips per day if developed as general office could be generated. (Institute of Transportation Engineers, 6th Edition, 1996) Other uses at different densities could generate more or less traffic.

Based on typical uses in OR20 district approximately 1,233 for apartments and 2,047 vehicle trips per day for general office use could be generated. (Institute of Transportation Engineers, 6th Edition, 1996) Other uses at different densities could generate more or less traffic.

Metro Traffic Engineer's Findings

A traffic impact study may be required with the submittal of any development plans for this property. If warranted by the study, then traffic conditions appropriate for the level of traffic to be generated by the development will be required as a condition of approval for the proposed development.



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SCHOOLS

**Students Generated
For ORI district
Schools Over/Under Capacity**

144 Elementary 106 Middle 79 High School

If the property were developed under the proposed zoning Students will attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood High School. Chadwell Elementary School and Gra-Mar Middle School have been identified as overcrowded by the Metro School Board.

The numbers for ORI zoning are based upon students that would be generated if the ORI 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. This information is based upon 2002-03 data from the school board.

**Students Generated
For OR20district
Schools Over/Under Capacity**

32 Elementary 23 Middle 17 High School

If the property were developed under the proposed zoning Students will attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood High School. Chadwell Elementary School and Gra-Mar Middle School have been identified as overcrowded by the Metro School Board.

The numbers for OR20 zoning are based upon students that would be generated if the OR20 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. This information is based upon 2002-03 data from the school board.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-087G-14
None
BL2003-1469
Bond

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Rezone 4.4 acres from residential (RS15) to residential multifamily (RM4) district a portion of property at 4440 Chandler Road, located east of the Nashville & Eastern Railroad along Chandler Road and south of Stoners Glen Court.

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. Current zoning would permit 11 residential lots.

Proposed Zoning
RM4 district

Residential Multi-family (RM4) is intended for single-family, duplex, and multi-family dwellings at a density of 4 dwelling units per acre. Proposed zoning would permit 18 residential lots.

SUBAREA 14 PLAN POLICY
Residential Low Medium (RLM)

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

Policy Conflict

None. Area 4R of the Subarea 13 Plan recognizes existing zoning and development in this area of 2 to 4 units per acre. The proposed zoning would allow development at a maximum of 4 dwelling units per acre for a total of 18 residential units. Commuter rail is a consideration for this area. Therefore, “when such service is being seriously considered and a definitive plan is being prepared, the impact and implications of that service for this area should be carefully considered, including any changes in land use policy that may be appropriate.” (Subarea 14, Area 4R, p. 63)



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RECENT REZONINGS

Yes. On April 15, 1999, the Planning Commission recommended approval to rezone properties north of the current proposal from RS15 to RM2 (99Z-041G). Staff also recommended approval.

TRAFFIC

Based on typical uses in RM4 district, approximately 239 vehicle trips per day could be generated (if developed as apartments). (Institute of Transportation Engineers, 6th Edition, 1996). Other densities could generate more or less traffic.

Traffic Engineer's Findings

This zoning change may have conditions or may require a TIS once the future development plans are submitted.

SCHOOLS

2 Elementary 1 Middle 1 High

Schools Over/Under Capacity

Students would attend Dodson Elementary, Dupont-Tyler Middle School and McGavock High School. These schools are not at full capacity. This information is based upon 2002-03 data from the school board.

CONDITIONS

The following conditions should be made part of the council bill and bonded or completed prior to final plat recordation.

1. Acquisition of parcel 67 to allow for public road access. Currently, Metro property maps show no public R.O.W. accessing this property.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-088G-12
None
BL2003-1489
Leeman

Staff Recommendation

Disapprove

APPLICANT REQUEST

Rezone 4.56 acres from agricultural/residential (AR2a) to commercial services (CS) at 6439 Nolensville Pike, north of Bluff Road.

Existing Zoning
AR2a district

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

Proposed Zoning
CS district

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

SUBAREA 12 PLAN POLICY
Natural Conservation (NCO)

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

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 CS district is not consistent with the Subarea 12 Plan's RLM policy along the frontage of Nolensville Pike or the Natural Conservation policy at the rear of the property. The NC policy was applied



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due to the presence of floodplain and floodway from Mill Creek and Holt Creek.

There is an existing retail building at the northeast corner of Nolensville Pike and Culbertson Road that was constructed in 2002. Although there is commercial zoning in the area, the Subarea 12 Plan does not call for the expansion of this commercial node. "The intent is to preserve and promote development in accordance with the standard RLM policies." (Page 47, Subarea 12 Plan)

The Subarea 12 Plan identifies the existing home on this property as the Williams House and designates it as being "Worthy of Conservation." According to the Metro Historic Commission, it is also called Wrencoe (c.1860) and is a two-story frame house dominated by a massive Greek Revival entablature and four large square piers (big porch on an otherwise modestly sized house).

RECENT REZONINGS

No. The CS properties on the east side of Nolensville Pike have been zoned commercial since at least 1974 and predate the Subarea Planning process.

TRAFFIC

Based on typical uses in the CS zoning, approximately 4,847 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

The Public Works Department has indicated that they may require a Traffic Impact Study (TIS) when the future development plans are submitted.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-089U-10
None
BL2003-1464
Leeman

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 1.73 acres from office residential (OR20) to residential (R10) at 2401, 2403, 2405, 2407, 2409, 2411, and 2413 Elliott, 812 Inverness and 807 Hillview Heights, west of Franklin Pike.

Existing Zoning
OR20 district

Office/Residential (OR20) is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

Proposed 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.

SUBAREA 10 PLAN POLICY
Residential Medium (RM)

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

Policy Conflict

No. The R10 district is consistent with the RM policy. The proposed zoning allows a density consistent with the subarea plan (4.63 dwelling units per acre) which is compatible with the density range of four to nine dwelling units per acre.

RECENT REZONINGS

No.

TRAFFIC

Based on typical uses in the R10 zoning district, this proposal will generate 86 trips. Other uses at different densities could generate more or less traffic.

SCHOOL STUDENTS GENERATED

0 Elementary 1 Middle 1 High



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Schools Over/Under Capacity

Students would attend Berry Elementary, Cameron Middle School and Glencliff High School. Cameron Elementary and Glencliff High School are currently overcrowded according to the Metro School Board. This information is based upon 2002-03 data from the school board.

Existing OR20 Zoning

SCHOOL STUDENTS GENERATED

0 Elementary 2 Middle 2 High



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-090G-12
None
BL2003-1485
Bond

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 40.33 acres from agricultural/residential (AR2a) to residential single-family (RS10) at 5869 and 5943 Pettus Road, north of Old Hickory Blvd. and west of Pettus Rd.

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. Current zoning would permit a total of 20 residential dwelling units.

Proposed 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 would permit a total of 149 dwelling units.

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.

Policy Conflict

None. The proposed RS10 district is consistent with the RLM policy. The RS10 district is intended for 3.7 dwelling units which is within the density range of the policy (2-4 dwelling units per acre). This RS10 district yields 149 dwelling units. This rezoning is also consistent with the emerging zoning pattern in the area. "A contiguous pattern of development should be encouraged to promote the efficient delivery of public facilities and services." (Subarea 12, Area 3G, p.47)

RECENT REZONINGS

Yes. On March 18, 1999, the Planning Commission recommended approval to rezone properties to the west



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(parcel 142) of the current proposal from AR2a and R80 to RS10 (99Z-022G). Staff also recommended approval.

TRAFFIC

Based on typical uses in the RS10 zoning, approximately 1,425 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

A Traffic Impact Study (TIS) is needed to review prior to determining any zone change recommendations.

SCHOOLS

29 Elementary 21 Middle 17 High

Schools Over/Under Capacity

Students would attend J.E. Moss Elementary, Apollo Middle School and Antioch High School. All three have been identified as overcrowded by the Metro School Board. This information is based upon 2002-03 data from the school board.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-091U-05
BL2003-1444
None
Bond

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone five parcels (1.00 acre) at Woodland Street (unnumbered) from commercial services (CS) to mixed use general (MUG) located between S. 9th Street and S. 10th Street on the south side of Woodland Street.

Existing Zoning

CS district

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

Proposed Zoning

MUG district

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

SUBAREA 5 PLAN POLICY
Commercial Arterial Existing (CAE) Policy

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

Subarea 5 Plan states, “CAE is not intended for application along arterial streets that are not already committed to this type of development. A general goal of CAE policy is to eventually have institutional, residential, and neighborhood scale business development between major intersections and, as needed, to accommodate community scale retail uses in a concentrated node at major intersections” (p.88).

The MUG zoning district is intended to allow these various types of development which is consistent with the subarea plan.



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Five Points Redevelopment District

The goals of the Five Points Redevelopment District are to:

1. Maintain continuity in streetscape.
2. Discourage major changes to land use patterns.
3. Sustain an active street with residential and mixed use development that provides for safer and cohesive development pattern.

The MUG district is in accordance with the redevelopment district's goals. There is a historic district overlay surrounding these properties. The guidelines for that overlay are more strict than the base zoning, specifically concerning height limitations. The height restriction for this area is 45'. MDHA must approve all plans in this redevelopment district.

This property is designated as "Neighborhood Commercial" in the Five Points Redevelopment Plan. MUG zoning allows many uses compatible with the Neighborhood Commercial designation. MDHA has no objection to the rezoning of the property from CS to MUG.

POLICY CONFLICT

None. The change removes the CS zone and supports a mixture of uses in keeping with the CAE policy. The purpose of the CAE policy is "...to stabilize the current condition, prevent additional expansion along the arterial, and ultimately redevelop these areas to a nodal pattern." CAE allows for retail, office, and higher density residential uses to intermingle that will enhance and diversify the Woodland Street Corridor. MUG zoning maintains this mixture of uses and is in accordance with the intent of the policy for this area.

RECENT REZONINGS

None.

TRAFFIC

Based on trip generation estimates, this development could generate 866 for residential uses, 1,439 for office uses, and 5,315 vehicle trips per day for retail uses. (6th Edition, Institute of Transportation Engineers, 1996.)



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Traffic Engineer's Findings

Other uses at different densities could generate more or less traffic.

This zoning change may have conditions or may require a TIS once the future development plans are submitted.

SCHOOLS

Schools Over/Under Capacity*

20 Elementary 15 Middle 11 High

Students would attend Warner Enhanced Option Elementary, Bellevue Middle School and Hillwood High School. Harpeth Valley and Bellevue have been identified as being overcrowded by the Metro School Board. This information is based upon 2002-03 data from the school board.

*The numbers for MUG zoning are based upon students that would be generated if the MUG zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,000 sq. ft. at an F.A.R. of 3.00.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-092G-04
None
BL2003-1368
Bond

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 0.88 acres from commercial services (CS) to office/residential (OR20) district property at 533 Old Hickory Blvd. and Old Hickory Blvd. (unnumbered), to the west of Delaware Avenue.

Existing Zoning
CS district

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

Proposed Zoning
OR20 district

Office/Residential (OR20) is intended for office and/or residential units at up to 20 dwelling units per acre.

SUBAREA 4 PLAN POLICY

Commercial Arterial Existing (CAE)

CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The predominant uses are retail and office activities.

Policy Conflict

None. The OR20 district is consistent with the CAE policy in this area. “The long-term goal for existing CAE areas is redevelopment into a more compact form, with community scale clusters at major intersections and higher density residential (where higher density locational criteria can be met).” Standard CAE policy should be used to guide development in this policy area. (Subarea 4 Plan, Area 9E, p.58).

RECENT REZONINGS

None

TRAFFIC

Based on trip generation numbers for OR20 district, this proposal will generate 116 daily trips for residential uses and will generate 338 daily trips for office uses. (Institute of Transportation Engineers, 6th Edition,



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Traffic Engineer's Findings

1996). Other uses at different densities could generate more or less traffic.

1. This zoning change may have conditions or may require a TIS once the future development plans are submitted.

SCHOOLS

Students Generated

 2 Elementary 1 Middle 1 High

Schools Over/Under Capacity

Students will attend Stratton Elementary School, Neely's Bend Middle School, and Hunters Lane High School. Stratton and Neely's Bend have been identified as being overcrowded by the Metro School Board. This information is based upon 2002-03 data from the school board.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-093U-08
None
BL2003-1478
Bond

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 0.43 acres from commercial services (CS) to mixed use limited (MUL) district property at 942 Jefferson Street, located at the intersection of 10th Ave. North and Jefferson St.

Existing Zoning

CS district

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

Proposed Zoning

MUL district

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

SUBAREA 9 PLAN POLICY

Mixed Use in Corridor Center (DLUP)

MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. "Mixed Use in Corridor Center" is intended to contain predominantly commercial and mixed-use development, serving as a "town center" for a group of neighborhoods." (Subarea 8 Plan, p.68).

Policy Conflict

None. The proposed MUL district is consistent with the MU policy. According to the Detailed Neighborhood Design Plan for Buena Vista, Jefferson Street serves as a major arterial and is home to many commercial destinations. "Improvements to these primarily commercial corridors could include mixed-use structures to help frame the neighborhood as the southern edge of Subarea 8." This area is located within the Phillips-Jackson Street Redevelopment District. MDHA is the applicant.



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RECENT REZONINGS

None

TRAFFIC

Based on the trip generation numbers, this proposal will generate 206 trips for office uses, 762 for retail uses, and 124 trips for residential uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

1. This zone change may have conditions or may require a TIS once the future development plans are submitted.

SCHOOLS

2 Elementary 1 Middle 1 High

Schools Over/Under Capacity*

Students would attend McGavock Elementary, Two Rivers Middle School and McGavock High School. McGavock Elementary and Two Rivers have been identified as being overcrowded by the Metro School Board. Two Rivers is on the 2003-04 Transfer Restriction list. This information is based upon 2002-03 data from the school board.

*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. at an F.A.R. of 1.00.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-094U-10
None
BL2003-1480
Leeman

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 5.33 acres from residential multi-family (RM20) to single-family residential (RS20) at 3100, 3102, 3104, 3106, 3108 and 3110 Woodlawn Drive, across from Timber Lane.

Existing Zoning
RM20 district

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

Proposed Zoning
RS20 district

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. The RS20 zoning would allow 10 single-family lots on this property.

SUBAREA 10 PLAN POLICY
Residential Low (RL)

RL policy is intended to conserve large areas of established, low density (one to two dwelling units per acre). The predominate development type is single-family homes.

Policy Conflict

No. The RS20 district is consistent with the Subarea 10 Plan's RL policy calling for residential development at up to two dwelling units per acre.

Zoning History/Zone change

The Planning Department was contacted by representatives of the homeowners in Linden Square with questions about the zoning on a lot that was for sale. Staff researched the zoning on this property and the five adjacent properties, as well. It was discovered that these properties were zoned RM20 as part of the 1998 remapping of the entire county. This remapping was necessary to reflect the new zoning categories of the new Zoning Code. The remapping was not intended to substantively change the zoning entitlements of individual properties, but rather to place a new zoning district on the property that was comparable to what was existing.



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The 1998 Planning Commission maps showed the six lots in question as “RM8,” which was a zoning category that allowed approximately 21 units per acre under the old Zoning Code. It appears, however, that these six lots were erroneously shown on the maps as RM8 when they were, in fact, zoned RS20.

The Planning Department first digitized its zoning maps in 1996. The “hard copy” maps were sent that year to a contractor to be digitized. The hard copy maps used to produce the digital maps showed the correct zoning as of 1996, and they show the zoning of the six properties in question as RS20, which allows single-family development only. It appears that during the digitization process, an error was made and the maps incorrectly showed these properties as RM8, which is the same zoning as the Regency Park condominiums, which are nearby on the other side of Woodlawn.

Metro records do not show that any zoning bill was passed by the Metro Council between 1996 and 1998 to rezone these properties from RS20 to RM20. Accordingly, it appears the property was zoned RM20 based on inaccurate maps. The Planning Department exercised its authority on behalf of the Planning Commission, to initiate an application to return the properties back to their original RS20 zoning.

RECENT REZONINGS

No.

TRAFFIC

Based on typical uses in the RS10 zoning, 96 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer’s Findings

A traffic impact study may be required with any subdivision plat submitted to the Planning Department.

SCHOOLS**Students Generated**

 1 Elementary 1 Middle 0 High

Schools Over/Under Capacity

Students will attend Julia Green Elementary School, Moore Middle School, and Hillsboro High School. All of these schools have been identified as being overcrowded by the Metro School Board for the 2002-2003 school year.



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**Under the existing RM20 Zoning
Students Generated**

4 Elementary

3 Middle

3 High



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-095G-04
BL2003-1484
None
Scott

Staff Recommendation

Disapprove due to lack of a traffic impact study and lack of plan for proposed connection to sewer line.

APPLICANT REQUEST

Rezone 387.42 acres from residential single-family (RS80) to residential single-family (RS40) at 405 Menees Lane, Menees Lane (unnumbered) and Neelys Bend Road (unnumbered).

Existing Zoning
RS80 zoning

RS80 requires a minimum 80,000 square foot lot and is intended for single-family dwellings at a density of 0.46 dwelling units per acre; 179 single family lot would be permitted.

Proposed Zoning
RS40 zoning

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre; 359 single-family lots would be permitted.

SUBAREA 4 PLAN POLICY
Interim Nonurban (IN)

IN policy is intended for areas that are generally suitable for urban development in the future, but should remain non-urban in character for the next twenty years. Areas designated as IN are generally remote from services necessary to support urbanization, especially sewers. Low density residential, agricultural uses, and low intensity commercial or community uses may be appropriate in IN policy areas.

General Natural
Conservation – (NCO)

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

Policy Conflict

Yes. The NCO policy states lower density development can be appropriate in certain areas where there is neither floodplain nor severe topographic issues, and if public sewerage is available. Currently, public sewers do not serve the property. There are no



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plans showing how the connection will occur and nothing submitted to show the applicant's intent to extend the sewer line to the property. No preliminary engineering studies have been conducted to determine the feasibility of extending the sewer. Water Services Department has indicated the approximate distance to the nearest sewer line is 2,000 feet, however that department requires the lines be located by a surveyor to determine the exact distance and route for access.

The IN policy encourages very low densities (one dwelling unit per five acres or more) for residential development. This recommendation is made in order to preserve larger tracts of land for future development at higher densities once the appropriate infrastructure is available. As stated above, sewer currently is not available to this property and no preliminary engineering studies showing how the sewer could be extended have been submitted.

The Department of Public Works has requested a Traffic Impact Study, which has not yet been submitted. If the conditions called for in the Traffic Impact Study can be met and sufficient proof is available that sewer can be extended to the property, then it is possible that rezoning of this property would be appropriate.

GREENWAY PLANS

It should be noted that the county greenway system plans to have greenways along both sides of the Cumberland River. When this property is subdivided, a greenway easement will be required along the Cumberland River.

RECENT REZONINGS

None

TRAFFIC

Based on typical uses in RS40 single-family districts, approximately 3,426 vehicle trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996) Other uses at different densities could generate more or less traffic.

Metro Traffic Engineer's Findings

A Traffic Impact Study is required for this zone change because of the size of the property.



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SCHOOLS

Students Generated

60 Elementary 47 Middle 37 High School

Schools Over/Under Capacity

If the property were developed under the proposed zoning, 214 students could be generated. Students would attend Neely's Bend elementary School, Neely's Bend Middle School, and Hunters Lane High School. Neely's Bend Elementary School and Neely's Bend Middle School have been identified as overcrowded by the Metro School Board. This information is based upon 2002-03 data from the school board.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-097G-01
None
BL2003-1481
Leeman

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Rezone 34.25 acres at 7305 Whites Creek Pike from residential single-family (RS40) to residential single-family (RS10).

Existing Zoning
RS40 district

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre. The RS40 district would allow 32 single-family lots.

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 zoning would allow 127 single-family lots on this property.

SUBAREA 1 PLAN POLICY
Residential Medium (RM)

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

Policy Conflict

No. The proposed RS10 district is consistent with the single-family zoning pattern north of I-24 and is only slightly below the RM policy calling for four to nine dwelling units per acre.

RECENT REZONINGS

Yes. The Planning Commission approved a rezoning on the southern portion of this property for MUL on January 23, 2003, finding it consistent with the Regional Concentration Super Community (RCC) policy on the south part of this parcel. The council bill for this rezoning will be heard on July public hearing at the Metro Council.

TRAFFIC

Based on typical uses in the RS10 district 1,215 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.



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Traffic Engineer's Findings

The Public Works Department recommends the following conditions:

- 1) The access Road to the residential development shall intersect with the new access road serving the southern retail development of this parcel as described in the conditions approved for the southern section of this parcel. There shall be only one access with Whites Creek to serve both of these developments.
- 2) If the residential part is developed prior to the retail, the developer shall be required to construct the main access road intersecting with White's creek. Signalization of this intersection and widening of Whites Creek will be required as the number of units completed generates traffic that will warrant a signal. Traffic counts will be conducted at 75% completion of project and at 100% completion. The number of lanes and or increase in storage lengths for this intersection, as noted in the retail development conditions, will be modified to serve any additional traffic from this land use.
- 3) The developer will coordinate with installation of any conditions that were approved for the development of the southern part of this tract.
- 4) The developer will comply with any other improvements and conditions identified by the TIS for this section of the property.

SCHOOLS

Students Generated

21 Elementary 16 Middle 14 High

Schools Over/Under Capacity

Students will attend Joelton Elementary School, Joelton Middle School, and Whites Creek High School. Joelton Elementary and Middle Schools have been identified as being over-crowded by the Metro School Board for the 2002-2003 school year.

CONDITIONS

See Public Works recommendations.



Project No.
Project Name
Associated Cases
Deferral

Subdivision 2003S-032G-02
Gilbert Lowe Subdivision

None.
This case was deferred indefinitely by the applicant on February 26,2003
Scott

Staff Reviewer

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary Plat

Subdivide 6.49 acres into a 9-lot subdivision, at a proposed density of 0.72 dwelling units per acre.

ZONING
RS20

The RS20 district requires a minimum lot size of 20,000 square feet.

SUBDIVISION DETAILS

The proposed lots range in size from 20,100 square feet to 40,625 square feet, which is consistent with the RS20 zoning district.

The cul-de-sac is approximately 440 feet in length and falls within the permitted length for a street with a turnaround (2-6.2.1. G). Sidewalks are not required since the minimum lot size is 20,000 square feet. The ROW for the cul-de-sac is 40'.

Old Hickory Boulevard is identified on the major street plan as a U4 Urban Arterial, which requires a ROW of 84 feet. Currently, Old Hickory Boulevard has two lanes and 60 feet of ROW. The applicant has provided a 12' ROW reservation for future roadway expansion in accordance with the Subdivision Regulations. Access to lot two shall be either from the cul-de-sac or from a joint driveway with lot one or lot three.

A water quality pond is included, located adjacent to the western margin of lot seven with a ten foot easement along the southern edge of lot seven.

TRAFFIC

Traffic Engineer's Recommendation

No exceptions taken.

CONDITIONS



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1. Performance bonds must be posted to secure the satisfactory construction of public improvements prior to the recording of the final plat.
2. The water quality area must be labeled as such and also noted that parcel will be open space, Stormwater comments.
3. Add to the Surveyor's notes the following: A public utility easement of twenty feet (20') adjacent to all street right-of-ways shall hereby be made part of this recording. On corner lots where front yard building setbacks are less than twenty feet (20'), the easement depth shall be reduced accordingly.



Project No.	2003S-090G-01
Project Name	James L. Paradise, Jr. Lots
Associated Cases	None
Staff Reviewer	Fuller

Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Preliminary Plat Subdivide 10.07 acres into a 4-lot subdivision, located on the northwest corner of Morgan Road and Ridgewood Road.

ZONING

AR2a district

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

RS80 district

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

SUBDIVISION DETAILS

This final plat creates 4 lots that range in size from 2 to 3 acres each. All lots will have individual septic service that has been approved by the Metro Health Department. No sidewalks are required in the AR2a or the RS80 zoning districts. A variance was granted by the Stormwater Management Committee to relieve the applicant from requirement for plans submittal or permanent water quality or quantity.

CONDITIONS

1. The owner's certificate on the final plat needs to be completed with the deed book and page reference and the owner's signature.
2. The final plat needs to reference the Stormwater Management Committee Appeal Case No. 2003-59: variance granted for stormwater quality and quantity site plans.



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-
3. The zoning on the final plat needs to show AR2a and RS80 zoning.



Project No. 2003S-118G-4
Project Name Myatt Business Center (Odom Property)
Associated Cases None
Staff Reviewer Fuller

Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Preliminary Plat Subdivide 21.32 acres into 4 lots, located abutting the east margin of Myatt Drive, 450 south of Madison Industrial Drive.

ZONING

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

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

SUBDIVISION DETAILS

Greenway Easement The applicant has dedicated the floodway and floodplain and a 75-foot flood buffer as conservation/greenway public access easement area for a future greenway system. This conservation area is to remain in an undisturbed natural state, excluding the installation of a trail by the Greenways Commission.

Public Works Recommendation

Final roadway plans for the entire development are yet to be submitted and approved. Included will be the roadway section per current regulations for the proposed right-of-way and all associated sidewalks (including curb and gutter and sidewalks on Myatt Drive).

CONDITIONS

1. A revised plat shall be submitted prior to the Planning Commission meeting that:
 - Shows existing topography



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- Labels the detention drainage easement on lot 2 as a "Water Quality Pond-Drainage Easement" to be dedicated on the final plat.
2. Documentation of preliminary approval must be received from Madison Suburban Utility District prior to June 26, 2003.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-150G-12
Highland Creek, Section 3, 1st Revision
None
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Final Plat

Replat the Highland Creek, Section 3 to relocate a 440-foot portion of the sidewalk along Sherbrooke Lane to the north side of the right-of-way because of difficult topographic conditions.

The original plat proposed the entire sidewalk along the south margin of Sherbrooke Lane, from Forest Lake Drive down to Lot 146 within Section 3.

ZONING

RS10 district within a Residential PUD

TRAFFIC ENGINEER'S FINDINGS

No exception taken

RECOMMENDATION

Staff recommends approval of the requested re-plat and relocation of the sidewalk to the north side of Sherbrooke Lane because there is no net loss of the proposed sidewalk network with the proposed request. The proposed sidewalk will now tie-in with Forest Lake Drive on the east side versus the west side of Sherbrooke Lane – which does not negatively affect the original plan. Staff recommends that approval of the relocation of the sidewalk be conditioned on the provision of a striped crosswalk on Sherbrooke Lane where the sidewalk crosses the right-of-way.

All affected property owners of this section of the subdivision have signed the proposed plat.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 2002P-003U-03
Park Preserve, Phase 1 and 3
None
None
Leeman

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Revised Preliminary & Final PUD

Revise a portion of the preliminary and final PUD approval for Phase 1 and 3 of the PUD district located at the end of Revels Drive and Malta Drive off of Whites Creek Pike. This plan is to permit the development of 325 multi-family units and 29 single-family lots, replacing 327 multi-family units and 25 single-family lots.

PLAN DETAILS

The proposed plan is consistent with the approved overall master development plan calling for a mixture of housing types in Phases 1 and 3. While the Council approved plan had 25 single-family lots, this revision increases that number to 29 lots by rearranging several lots and units. This plan also decreases the number of multi-family units by 2 lots. A condition will be placed on this approval requiring a future phase to be reduced in size by two lots. The overall layout and design are consistent with the approved preliminary.

Variance Request
(Parking—Section 17.20.030)

This plan proposes several variances to the parking standards of Section 17.20.030 of the Zoning Code.

Single-Family Lots: The plan proposes 2.5 on-street parking spaces per lot, while the code requires 2 on-site spaces per lot.

Multi-Family Lots: The plan proposes 434 total on-site parking spaces for the multi-family portions of the plan, while 541 spaces are required. However, the plan also provides a total of 558 spaces, including the on-street parking.

Staff recommends approval of the parking variances since this plan is designed to minimize the disturbance to the steep slopes surrounding the area proposed for



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development. Maximizing the number of on-street parking spaces will minimize the amount of disturbance to the steep slopes and increase the amount of surrounding tree buffer from existing trees. The Planning Commission will make a recommendation to the Board of Zoning Appeals on the parking variance since this is a requirement of the Zoning Code.

TRAFFIC ENGINEER'S FINDINGS

The Metro Public Works Department has made recommendations on this project, based on a new traffic impact study. Those recommendations are included in the conditions below.

Planning Staff Recommendation

Staff recommends that the conditions outlined by Public Works be completed or bonded prior to final plat recordation.

CONDITIONS

1. Prior to the issuance of any building permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works and Water Services. Sewer capacity must be purchased in accordance with Metro Water Services requirements.
2. With the submittal of any future phase, lots must be deleted since Phases 1 and 3 were increased by a net of two lots, unless the plan is amended by Council to include two more units.

Phase I

3. Construct a northbound right turn lane on Whites Creek Pike at Malta Drive with 180' of storage and 100' of taper per A Policy on Geometric Design of Highways and Streets published by AASHTO.
4. Provide three lanes on Malta Drive at Whites Creek Pike. These lanes shall consist of a 12' eastbound lane, an 11' westbound left turn lane and a 12' right-through lane. These lanes shall extend a minimum of 150' plus taper east of the intersection.



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Phase III

5. Provide three lanes on Revels Drive at Whites Creek Pike. These lanes shall consist of a 12' eastbound lane, an 11' westbound left turn lane and a 12' right-through lane. These lanes shall extend a minimum of 150' plus taper east of the intersection.
6. Construct a southbound left turn lane on Whites Creek Pike at Revels Drive. This lane shall provide a minimum of 100' of storage and adequate bay and departure tapers per A Policy on Geometric Design of Highways and Streets published by AASHTO.
7. Provide proof of right-of-way for the new section of Revels Drive.

Phase V

8. Construct a westbound left turn lane on Ewing Drive at Vista Lane. This lane shall provide a minimum of 100' of storage and adequate bay and departure tapers per A Policy on Geometric Design of Highways and Streets published by AASHTO.
9. Provide three lanes on Vista Lane at Ewing Drive. These lanes shall consist of a 12' eastbound lane, an 11' westbound left turn lane and a 12' right-through lane. These lanes shall extend a minimum of 150' plus taper east of the intersection.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 96-72-G-06
Bellevue Plaza Shopping Center
None.
None
Leeman

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Revised Preliminary
and Final PUD

A request to revise the preliminary plan to permit a change in use of an existing 800 square foot photomat building to a restaurant with 40 patio seats and a drive-thru lane. Although the plan eliminates two parking spaces, eight parking spaces are provided. This portion of the required plan utilizes a shared parking agreement with the remainder of the shopping center within the PUD.

Existing Zoning

SCC district/
Commercial PUD

Shopping Center Community is intended for moderate intensity retail, office, restaurant, and consumer service uses for a wide market area. The original PUD for this shopping center was approved in 1972, while the plan was revised in 1977, to include the photomat in the parking area. Although this plan had a condition that there were to be no fast-food restaurants in the outparcels, that condition was revised for the McDonald's at the corner of Highway 70 S and Old Hickory Boulevard. The proposed restaurant is not part of an outparcel.

TRAFFIC

Based on the proposed PUD plan for this site, approximately 35 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

No exception taken.

CONDITIONS

1. Prior to the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Departments of Public Works and Water Services shall forward confirmation of final



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approval of this proposal to the Planning Commission.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 98-73-G-02
Hickory Hills Commercial PUD
None.
None
Leeman

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Revised Preliminary
and Final PUD

A request to revise a portion of the preliminary PUD plan for the Commercial PUD located along the east side of Hickory Hills Boulevard, north of Old Hickory Boulevard. The proposed revision is to permit a 78,000 square foot office distribution building and a 16,000 square foot bus maintenance facility, replacing 350,000 square feet of undeveloped office distribution uses in three buildings.

Existing Zoning

OR20/Commercial PUD

This PUD was approved in 1973, and includes an existing mini-storage warehouse facility, an existing bus maintenance facility, and an existing office distribution facility. The plan also includes an existing convenience market/gas station and an undeveloped hotel.

PLAN DETAILS

The applicant is requesting final PUD approval for the 16,000 square foot bus maintenance facility and final grading approval for the 78,000 office distribution site.

The proposed uses are consistent with what exists within the PUD today, and the proposed layout is consistent with the approved preliminary PUD design.

TRAFFIC

Based on the proposed PUD plan for this site, approximately 234 trips per day could be generated by the office distribution use and 48 trips per day could be generated by the bus maintenance facility. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

No exception taken.



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CONDITIONS

1. Prior to the issuance of any permits, the Stormwater Management Division of Metropolitan Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works must forward confirmation of final approval of this proposal to the Planning Commission.
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. 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. PUD 88P-068G-13
Project Name Nashboro Square
Council Bill None
Associated Cases None
Staff Reviewer Leeman

Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Final PUD Approval

A request for final PUD approval for a portion of the Commercial PUD overlay to permit final grading plan approval for a 600 foot long private drive connecting Brooksboro Place to Murfreesboro Pike. This drive will allow access to the future shopping center and outparcels approved by the Planning Commission on December 12, 2003, for 56,000 square feet of retail, restaurant, and bank uses. This plan replaced the original plan for 90,100 square feet of retail uses.

Existing Zoning
R10/Commercial PUD

This is a grandfathered PUD approved by the Metro Council in 1988, for a total of 242,100 square feet of commercial uses. The portion of the plan proposed to be revised was approved for 90,100 square feet of retail uses originally.

PLAN DETAILS

The proposed plan is for grading and for final PUD approval for the 600 foot long private driveway to serve the future shopping center approved as part of the preliminary PUD plan.

The proposed road plan is consistent with the approved plan in terms of layout and access points. The proposed plan provides one access point directly to Murfreesboro Pike and one access point to Brooksboro Place.

TRAFFIC

Based on the ITE Trip Generation Manual (6th Edition), the proposed uses could generate the following number of trips per day on average:

4,000 square feet of office = 44 trips per day
51,000 square feet of retail = 2,189 trips per day



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Traffic Engineer's Findings

In order to preserve the required sight distance at the Brooksboro Place/Nashboro Boulevard intersection, vegetation in this area will be limited to grass and plantings that will not restrict the sight distance and there will be no fencing or constructed walls, which may obstruct the sight distance, in the vicinity of the Brooksboro Place/Nashboro Boulevard intersection.

Planning Department staff has researched the conditions of the original traffic impact study and determined that no additional road improvements were required at this stage of development. Staff notes, however, that the study is 14 years old and likely does not reflect current traffic conditions in that area.

CONDITIONS

The following conditions will be made part of this approval:

1. Any final PUD plan must include a wall, 6-feet in height at the rear of Lot A, as required on the original PUD approval.
2. Compliance with the Traffic Engineer's requirements for sight distance at the Brooksboro Place/Nashboro Boulevard intersection.
3. Prior to the issuance of any permits, the Stormwater Management Division of Metropolitan Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works must forward confirmation of final approval of this proposal to the Planning Commission.
4. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
5. 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



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submitted to the Metropolitan Planning Commission.

6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



Project No.
Project Name
Council Bill
Staff Reviewer

Mandatory Referral 2003M-067UG
Sidewalk Capital Improvements Project
BL2003-1501
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An Ordinance authorizing the acquisition of property by negotiation or condemnation for construction of sidewalks and associated work in accordance with the Strategic Plan for Sidewalk Capital Improvement Projects located within Metropolitan Nashville & Davidson County.

DEPARTMENT AND AGENCY COMMENTS

As part of the continued effort to improve or expand Metro's current sidewalk network, this ordinance provides the necessary authorization to Metro Government to condemn or acquire portions of property for the following sidewalk projects:

- Old Matthews Road
- Lischey Avenue
- Scholarship Drive
- Annex Avenue South
- Annex Avenue North
- Achievement Drive
- Edmondson Pike
- Colice Jeanne Drive
- Baugh Road
- Jacksonian Drive
- Plantation Drive

Metro Real Property Administration of the Department of Finance recommended approval of the proposed ordinance to acquire or condemn property for the aforementioned sidewalk projects.

Planning Department staff supports the requested ordinance. The on-going effort to provide additional sidewalks throughout Davidson County will help create a more walkable, pedestrian-friendly city.



Project No.
Project Name

Mandatory Referral 2003M-070U-10
Acklen Avenue Surplus
Property Designation

Associated Cases
Council Bill
Staff Reviewer

2003Z-085U-10
None
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

An Ordinance approving the disposition of a certain parcel of property by the Director of Public Property, which is currently held by the Metropolitan Government of Nashville & Davidson County, as requested by the Public Property Administration of the Metro Department of Finance.

DEPARTMENT AND AGENCY COMMENTS

The Metro Public Property Administration has taken the necessary steps to deem this property surplus; in turn, allowing for the conveyance of this property to a private land owner for private development. Public Property staff contacted all agencies that may have an interest in the parcel and none of the departments requested Metro to retain the property.

Related to this requested surplus designation, the applicant has submitted a zone change application to change the zoning of this property from RM20 to CS (see case 2003Z-085U-10).

*Comments from the
Civic Design Design*

Through a series of five public meetings and an Urban Design Forum dedicated to the subject of the Edgehill neighborhood, the Nashville Civic Design Center has recently completed a proposal for the neighborhood. The Design Center, at the request of the *Organized Neighbors of Edgehill*, began this study in September of 2002.

Several findings relating to development and pedestrian traffic throughout the neighborhood include:



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- The corner of Wedgewood and 12th Avenue South is considered the southern entrance to the neighborhood. Future development at this site should be complementary to the urban nature and character of the neighborhood.
- Historically 12th Avenue South was the commercial / shopping "HIGH" Street of the neighborhood. Following Urban Renewal, the character and scale of 12th Avenue S. was changed. Businesses were demolished and never returned. Future development along 12th Avenue South should strive to bring it back to its historic nature. (commercial / shopping / urban / pedestrian street)
- The community expresses concern that the site for a proposed drugstore location should tie into the urban realm of the neighborhood.
- Using Community Block Grant [CBG] Funds, MDHA will begin construction of a park on the Murrell School property in the fall of 2003. This project will serve as a new neighborhood park. The Civic Design Center has been consulting with MDHA to suggest design opportunities for this park. The current design proposal maintains 13th Avenue South as a pedestrian allee, allowing access to the property, via a stroll through the park. The plan also suggests using the now closed portion of 13th Avenue South of Wade Street and Wedgewood Avenue. This portion used to have access underneath Wedgewood Avenue through a tunnel. Now closed for several years, with the subject site's improvements, the option of reopening this connection could be considered.
- Residents expressed concerns about the traffic congestion at the corner of 12th and Wedgewood. The drugstore site, in particular, is often inaccessible during high traffic times. The neighborhood would like to see a building placed at the corner, with vehicular access placed farther to the rear of the site, removing additional cars from the intersection.
- The Civic Design Center's proposal for 12th Avenue South suggests a Boulevard condition from 12th &



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Edgehill to 12th & Wedgewood. A well sited and urban conscious development would aid in anchoring the entrance to the Edgehill neighborhood and emphasizing the boulevard condition, which will begin at this intersection.

Staff recommends conditional approval, requiring that the developer submit a development plan, to the planning department, which reflects a compact, urban design where pedestrian traffic is encouraged and vehicular traffic is buffered from the residential properties to the west. Without this condition, staff would recommend disapproval. Staff also notes the continued work of the Nashville Civic Design center to help establish a development plan for the Edgehill neighborhood, which provides for a more pedestrian-friendly environment by means of a more integrated urban fabric.



Project No.
Project Name

Mandatory Referral 2003M-071U-10
Close Portions of Alleys #428 & #393 & 13th Avenue South

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request to close a 266-foot portion of Alley #428, a stub of Alley #393 that projects into Map 105-09, Parcel 51, and to close an approximate 75-foot portion of 13th Avenue South, which extends south from Wedgewood Avenue just north of Map 105-09, Parcel 51, to allow for the consolidation of surrounding lots, as requested by Robert Gowan, applicant, for Mark Tarver, prospective property owner, and for Ted Walker, abutting property owner.

APPLICATION REQUIREMENTS

Application properly completed and signed?

Yes

Abutting property owners' sign application?

Yes

DEPARTMENT AND AGENCY COMMENTS

In conjunction with mandatory referral 2003M-070U, the applicant is requesting to close a portion of Alley #428 to allow for the consolidation of land and subsequent development of a pharmacy on the corner of Wedgewood Avenue and 12th Avenue South. The requested closure of the portion of Alley #393 simply cleans up the parcel that is requested for "surplus" designation (Map 105-09, Parcel 51), as does the requested closure of a left-over portion of 13th Avenue South.

Staff does not believe that these requested closures would have any negative impact on the immediate or surrounding area. The existing alley network, which extends north of Acklen Avenue, would still function properly and allow for smooth traffic circulation even if these requested closures were approved.



Project No.	Mandatory Referral 2003M-072U-10
Project Name	Fiber Optic Line Aerial Encroachment
Council Bill	None
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for an aerial encroachment to install a single-mode fiber optic cable between 1900 & 1901 Church Street, which is proposed to be installed on existing utility poles and lines that run along 19th Avenue North. The fiber optic line will be installed between 22 feet 3 inches and 23 feet 9 inches above the Church Street right-of-way. Requested by Michael D. Schmerling & Company, G.P.

APPLICATION REQUIREMENTS

License to Encroach Agreement	Yes – one was submitted.
Insurance Certificate	Yes – one was submitted providing general liability of \$1,000,000 for each occurrence and \$2,000,000 for aggregate coverage, as required by Metro Legal.
Property Owner Sign Application	Yes
Tenant Sign Application	No

DEPARTMENT AND AGENCY COMMENTS

This item is recommended for approval by Metro Public Works.

Planning staff supports the requested encroachment because the placement of fiber optic lines on existing utility poles does not conflict with the adopted land use policy and would not be inconsistent with any development plan.



Project No.
Project Name

Mandatory Referral 2003M-073U-12
Christ Church Pentecostal Flag
Encroachment

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request for a ground and aerial encroachment to install 16 decorative flags and flagpoles along Old Hickory Boulevard along the front of Christ Church Pentecostal, which is located at 15354 Old Hickory Boulevard. Requested by L.H. Harduick for Christ Church.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes – one was submitted in correct form.

Insurance Certificate

Yes – one was submitted providing general liability of \$1,000,000 for each occurrence and \$3,000,000 for aggregate coverage, as required by Metro Legal.

Property Owner Sign Application

Yes

Tenant Sign Application

N/A

DEPARTMENT AND AGENCY COMMENTS

This item is recommended for approval by Metro Public Works.

Planning staff supports the requested encroachment because the placement of flags and flag poles does not conflict with the adopted land use policy and would not be inconsistent with any development plan.



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