



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

Planning Department
Lindsley Hall
730 Second Avenue South
Nashville, Tennessee 37201

**Minutes
Of the
Metropolitan Planning Commission**

March 11, 2004

PLANNING COMMISSION:

James Lawson, Chairman
Stewart Clifton
Ann Nielson
Tonya Jones
Victor Tyler
James McLean
Councilmember J.B. Loring
Phil Ponder, representing Mayor Bill Purcell

Staff Present:

Richard Bernhardt, Executive Director
Ann Hammond, Asst. Director
David Kleinfelter, Planning Manager II
Brook Fox, Legal Counsel
Trish Brooks, Administrative Assistant
Kathryn Fuller, Planner II
Adrian Harris, Planner I
Bob Leeman, Planner III
Preston Mitchell, Planner II
Chris Wooton, Planning Technician I

Commission Members Absent:

Doug Small, Vice Chairman
Judy Cummings

I. CALL TO ORDER

The meeting was called to order at 4:02

Mr. Lawson welcomed Mr. Phil Ponder to the Commission. Mr. Ponder will serve as the Mayor's representative on the Commission.

Mr. Lawson thanked Mr. Joe Sweat for his commitment and services provided to the Commission while serving in the capacity as the Mayor's representative.

Mr. Sweat expressed his appreciation in working with the Commission and stated that he had been reassigned to the new Energy Advisory Board.

II. ADOPTION OF AGENDA


Ms. Nielson moved and Mr. Mclean seconded the motion, which passed unanimously, to adopt the March 11, 2004 agenda. (7-0)

III. APPROVAL OF FEBRUARY 26, 2004 MINUTES

Mr. McLean moved, and Mr. Tyler seconded the motion, which passed unanimously, to approve the minutes of February 26, 2004. (7-0)

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Bradley thanked the Commission for rehearing the Hamilton Church Subdivision and stated that he has withdrawn this request.

Councilmember Gotto welcomed Phil Ponder to the Commission and also expressed his thanks to the MayorCC  listening to the Subarea 14 Plan.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

6. 2004Z-036G-14 RS10 to CS district properties at Route 1 and 3746 Central Pike, at the southwest corner of Dodson Chapel Road and Central Pike – Deferred until April 8, 2004
15. 98P-007U-12 Request to Amend undeveloped phase of the PUD located abutting the north side of Old Hickory Blvd – Deferred to March 25, 2004.
16. 2004M-015U-13 Rename unnamed street to Knapp Blvd. – Withdrawn

Mr. Ponder announced that Councilmember Brown, who was unable to attend the meeting, had written a letter to the Commissioners requesting that Item #10 - 2004S-064G-14 - Warren Drive, be deferred until April 22, 2004.

Mr. Ponder moved, and Mr. Loring seconded the motion, which passed unanimously to defer Item #10 – 2004S-064G-14, Warren Place, revision I to the April 22, 2004 meeting. **(7-0)**

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to approve the deferred or withdrawn items. **(7-0)**

VI. PUBLIC HEARING: CONSENT AGENDA PREVIOUSLY DEFERRED ITEMS

1. 2004Z-028G-14 R10 to MUL district property at 2908 Elm Hill Pike, approximately 180 feet west of Hurt Drive - Approve
2. 2004S-021U-13 Request for preliminary approval of 16 lots located - at Murfreesboro Pike & Edge-O-Lake Drive - Approve w/conditions
3. 2004S-055G-12 Preliminary plat approval for 188 lots - located on the south margin of Culbertson Road - Approve w/conditions

ZONING MAP AMENDMENTS

4. 2004Z-003T Text change - A council bill adding "religious institutions" as a permitted use under all Industrial zoning districts - Approve
5. 2004Z-032U-12 R40 to RS20 district property located at 5705 and 5701 Cloverland Drive, Cloverwood Drive, and 501 Church Street – Approve w/conditions

PRELIMINARY SUBDIVISION PLATS

10. 2004S-064G-14 Preliminary approval for 8 lots abutting the Warren Drive & Swinging Bridge -Approve w/conditions

PLANNED UNIT DEVELOPMENTS (revisions)

13. 14-82-U-11 Cancel a portion of the Commercial PUD, Sidco Drive at Elysian Fields Road -Approve
14. 7-84-U-12 Revise the preliminary and final approval for a portion of the PUD, Old Hickory Blvd & Nolensville Pk. -Approve w/conditions

MANDATORY REFERRALS

17. 2004M-016U-13 Rename a section of McCrory Creek Road to "Couchville Pike" -Approve
18. 2004M-017U-10 Rename a section of Concord Park Road northeast to "Concord Park E" - Approve
19. 2004M-018U-10 Abandon a 40 foot Public Utility & Drainage Easement and relocate at 1101 Cherry Avenue – Approve
20. 2004M-021U-10 Abandon a 6" water line & easement at 2600 Hillsboro Pk -Approve

Mr. Stewart arrived at 4:12

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to approve the consent agenda. **(8-0)**

VII. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

ZONING MAP AMENDMENTS

- 1. **2004Z-028G-14**
Map 108-02, Parcel 63
Subarea 14 (1996)
District 14 (White)

A request to change from R10 to MUL district property at 2908 Elm Hill Pike, approximately 180 feet west of Hurt Drive (0.57 acres), requested by Jack Hill, owner/applicant.

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 0.57 acres from residential (R10) to mixed use limited (MUL) district property at 2908 Elm Hill Pike.

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

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

SUBAREA 14 PLAN POLICY

Major Public Open Space (MPOS) - MPOS policy is intended to accommodate existing major public recreational and open space areas for active and passive use. The primary types of land use in MPOS policy are recreational activities that are accessible to the general public on land that is under public ownership or control.

Policy Conflict - Although the proposed zoning district (MUL) is not entirely consistent with the MPOS policy calling for recreational and public open space areas, it is appropriate at this location. The Subarea 14 Plan states that the “MPOS policy applies to only the vacant (formerly residential) portion of that area that lies north of Elm Hill Pike.” (Area 2D, p. 54) The MPOS policy is applied due to its proximity to the airport and the already purchased homes for the “extended approach zone” for the new runway. This property is one of two residential properties that is *not* vacant in the area. There is a home on this parcel and a historic home on the adjacent parcel. MUL would allow for residential uses as well as commercial uses that may be appropriate in the future. MUL is also consistent with the zoning districts along Elm Hill Pike.

Related Items – A mandatory referral was approved by the Commission for the acquisition of this parcel on February 12, 2004 (2004M-010U-13).

RECENT REZONINGS - Parcel 081 was rezoned from R10 to CS in July 1999. Planning Commission recommended approval in May 1999.

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

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Units per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour

Single-Family detached (210)	0.57	3.7	2	29	11	4
------------------------------	------	-----	---	----	----	---

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.57	0.198	4,916	132	17	14

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

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+103	+6	+10

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (210)	0.57	.4	9,932	225	30	19

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	0.57	0.6	14,897	10,994	974	801

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

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	---	+10769	+944	+782

Planned Roadway Capital Improvements:

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

Approved (8-0), *Consent Agenda*

Resolution No. 2004 –085

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2004Z-028G-14 is **APPROVED. (8-0)**

Although the proposed MUL is not entirely consistent with the Subarea 14 Plan’s MPOS policy calling for recreational and public open space areas, it is appropriate at this location. The plan states that the MPOS policy applies to only vacant properties along the north side of Elm Hill Pike. This property and adjacent property are the only two that are not vacant. MUL would allow for residential and commercial uses that may be appropriate in the future. It is also consistent with the zoning districts along Elm Hill Pike.”

PRELIMINARY SUBDIVISION PLATS

- 2. 2004S-021U-13**
Mark Marshall One
Map 149, Parcels 74, 75, 76 & 78 (pt.)
Map 149-03, Parcels 61, 62, 63, 66, 67, 68, 69, 122, 145, 146, 147
Subarea 13 (2003)
District 29 (Wilhoite)

A request for preliminary approval of 16 lots located on the east margin of Murfreesboro Pike, south of Edge-O-Lake Drive (7.62 acres), located in the MUL, RS3.75, R8 and R10 districts, requested by Murfreesboro Edge-O-Lake Development, LLC, owner/developer, and Batson and Associates, Inc., engineer.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST

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

ZONING

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

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

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

SUBDIVISION DETAILS - This preliminary plan includes commercial and residential lots. This plan is dependant upon the approval of three zone changes, two of which went to the January 22, 2004, Planning Commission meeting.

Street Connectivity - Subdivision Regulation 2-6.2.2.D.3 states, “Minor local streets shall be laid out...to provide for the efficient dispersal of internal traffic while discouraging high volumes of through traffic...” Subdivision Regulation 2-6.2.2.D.4 states, “The use of an interconnected street system shall be encouraged to broadly disperse internal traffic and provide maximum alternatives for access to property for both public and private movement. The Subdivision Regulations also discourage the use of cul-de-sacs, except when topographic conditions or configuration of property boundaries prevent connections, and require streets to be extended to the property boundary line.

After this item was deferred on January 22, 2004, staff met with the owner to discuss a requirement to connect the two sections of Lake Villa Drive, and to see the overall concept plan for this development. Staff agreed that as long as the southernmost connection is made (which is not included as part of this plat) that the connection between the

two unconnected portions of Lake Villa Drive (part of this plat) will not need to be made. This concept plan was made part of the private deed restrictions and will be required by Planning Department staff when future plat submittals are made.

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

Pedestrian Easement - The Subdivision Regulations allow a pedestrian access easement to be required “to facilitate pedestrian access from streets to existing or planned schools, museums, parks, greenways, playgrounds, or other nearby community facilities, major shopping malls, or commercial amusement activities...” (2-6.2.1.G). Staff recommends that the Commission require a 10’ wide public pedestrian access easement be located between lots R-6 and R-7 to allow pedestrian travel to the commercial developments on Murfreesboro Road. However, in-lieu of the pedestrian access easement, staff will also allow the developer to construct a public sidewalk between the proposed cul-de-sac on Lake Villa Drive and the proposed sidewalk on Edge-O-Lake Drive in front of Parcels 64 and 65 on Tax Map 149-03.

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

TRAFFIC ENGINEER’S FINDINGS - A traffic impact study was required and has been submitted. Approval is subject to construction plan approval.

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

1. Metro Council approval of Zone Changes 2004Z-017U-13 and 2004Z-018U-13.
2. Approvals from Metro Stormwater, Public Works and Water Services are obtained for the preliminary plan as presented. Changes to the proposed preliminary plan will require the submission of a revised preliminary plan to be approved by the Planning Commission and other reviewing agencies.
3. A 10-foot wide pedestrian access easement shall be included on the final plat from the end of the new Lake Villa Drive cul-de-sac to the mixed-use area along Murfreesboro Pike. The access easement shall be between lots R-6 and R-7 on the proposed preliminary plat, or the developer shall construct a public sidewalk between the proposed cul-de-sac on Lake Villa Drive and the proposed sidewalk on Edge-O-Lake Drive in front of Parcels 64 and 65 on Tax Map 149-03.
4. Must submit a new preliminary plan that shows the Metro Council approved zone districts once approved.
5. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
6. The final plat shall not be recorded until the above referenced zone changes included in this plat becomes effective.
7. The Stormwater Management Division of Metro Water Services requires a letter from the Tennessee Department of Environment and Conservation that declassifies a pond on this property as a wet weather conveyance prior to grading plan approval.

Approved with conditions (8-0), *Consent Agenda*

Resolution No. 2004-086

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. **2004S-021U-13** is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Metro Council approval of Zone Changes 2004Z-017U-13 and 2004Z-018U-13.
2. Approvals from Metro Stormwater, Public Works and Water Services are obtained for the preliminary plan as presented. Changes to the proposed preliminary plan will require the submission of a revised preliminary plan to be approved by the Planning Commission and other reviewing agencies.
3. A 10-foot wide pedestrian access easement shall be included on the final plat from the end of the new Lake Villa Drive cul-de-sac to the mixed-use area along Murfreesboro Pike. The access easement shall be between lots R-6 and R-7 on the proposed preliminary plat, or the developer shall construct a public sidewalk between the proposed cul-de-sac on Lake Villa Drive and the proposed sidewalk on Edge-O-Lake Drive in front of Parcels 64 and 65 on Tax Map 149-03.
4. Must submit a new preliminary plan that shows the Metro Council approved zone districts once approved.
5. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
6. The final plat shall not be recorded until the above referenced zone changes included in this plat becomes effective.
7. The Stormwater Management Division of Metro Water Services requires a letter from the Tennessee Department of Environment and Conservation that declassifies a pond on this property as a wet weather conveyance prior to grading plan approval.”

- 3. 2004S-055G-12**
Addition to Indian Creek
Map 181, Parcels 36, 37
Subarea 12 (1997)
District 31 (Toler)

A request for preliminary plat approval for 188 lots located on the south margin of Culbertson Road, approximately 700 feet southwest of Old Hickory Boulevard (60.54 acres), classified within the RS10 District, requested by Hurley-Y, owner, Anderson-Delk & Associates, Inc., surveyor.

Staff Recommendation -*Approve with conditions*

APPLICANT REQUEST

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

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

ZONING

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

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

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

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

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

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

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

PUBLIC WORKS - Public Works approves this development with the following conditions:

1. Compliance with the previous conditions including no connection to Culbertson Road.
2. The developer shall submit information to Public Works to determine if there is a need caused by this development to extend the left turn lane at Broken Bow and Old Hickory Boulevard from 75 ft to 150 ft.
3. Approval is subject to construction plan approval.

CONDITIONS

1. There will be no access to Culbertson Road.
2. The developer will dedicate the Mill Creek floodway on the property as a public open space/conservation easement for the future Mill Creek greenway.
3. The developer shall submit information to Public Works to determine if there is a need caused by this development to extend the left turn lane at Broken Bow and Old Hickory Boulevard from 75 ft to 150 ft.

Approved with conditions **(8-0)**, *Consent Agenda*

Resolution No. 2004-087

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. **2004S-055G-12** is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. Compliance with the previous conditions including no connection to Culbertson Road.
2. The developer shall submit information to Public Works to determine if there is a need caused by this development to extend the left turn lane at Broken Bow and Old Hickory Boulevard from 75 ft to 150 ft.
3. Approval is subject to construction plan approval.

4. There will be no access to Culbertson Road.
5. The developer will dedicate the Mill Creek floodway on the property as a public open space/conservation easement for the future Mill Creek greenway.
6. The developer shall submit information to Public Works to determine if there is a need caused by this development to extend the left turn lane at Broken Bow and Old Hickory Boulevard from 75 ft to 150 ft.”

VIII. PUBLIC HEARING: ZONING MAP AMENDMENTS

4. 2004Z-003T

A council bill adding "religious institutions" as a permitted use under all Industrial zoning districts, requested by Staff.

Staff Recommendation - *Approve*

APPLICANT REQUEST

This council bill would change Section 17.08.030 District Land Use Tables of the Zoning Ordinance to allow religious institutions as a permitted "P" use in all industrial zone districts (IWD, IR, and IG).

The Zoning Ordinance presently allows religious institutions in all mixed use and commercial zone districts as a permitted use. There have been several zone change requests in the past year by existing religious institutions for zone districts that allow them as a permitted use within predominantly industrial areas. If this bill is adopted, then religious institutions such as churches would be a permitted use in all zone districts except shopping center zone districts and residential zone districts. Religious institutions are not a permitted use in any shopping center zone districts (SCN, SCC, or SCR). This use is considered a special exception "SE" in residential zone districts, where any application is subject to review and approval by the Board of Zoning Appeals. Several cities allow religious institutions in industrial districts as a permitted use, including Atlanta, Georgia, Charleston, South Carolina, and Raleigh, North Carolina.

Approved (8-0), *Consent Agenda*

Resolution No. 2004-088

“BE IT RESOLVED by the Metropolitan Planning Commission that Zone Text Change 2004Z-003T is **APPROVED. (8-0)**”

5. 2004Z-032U-12

Map 171, Parcels 83, 108, 117, 158
Subarea 12 (1997)
District 31 (Toler)

A request to change from R40 to RS20 district property located at 5705 and 5701 Cloverland Drive, Cloverwood Drive (unnumbered), and 501 Church Street, (15.86 acres), requested by Gresham, Smith and Partners, for Gayron and Naomi Lyte, owners.

Staff Recommendation - *Approve, with a condition* that with any future development right-of-way must be extended north from Old Smyrna Road in Williamson County to the Cloverland Drive / Church Street intersection in Metro Davidson County, but the improved roadway must stop approximately 50-feet short of Cloverland Drive / Church Street until adequate improvements are made.

APPLICANT REQUEST - Rezone 15.86 acres from residential (R40) to residential (RS20) district property located along the south margin of Cloverland Drive, at the intersection of Cloverland Drive and Church Street.

Existing Zoning

R40 district - R40 requires a minimum 40,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 1.16 dwelling units per acre including 25% duplex lots. The R40 district permits 15 lots, or 19 total units with 25% of the lots for duplex.

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 district would permit 29 single-family homes.

SUBAREA 12 PLAN

Residential Low-Medium (RLM) - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate. The Subarea Plan states that, “this area is developing at roughly 2 units per acre with the exception of Dunn Meade subdivision that developed at 1 unit per acre. The intent is to develop this area in accordance with the standard RLM policies.”

Policy Conflict - No. This requested rezoning is associated with a proposed subdivision that would be largely located in Brentwood within Williamson County. The subdivision proposes a collector street connection between the existing roadway network in Brentwood and the Cloverland Drive – Old Hickory Boulevard connection in Davidson County. The roughly 20 lots proposed within Davidson County would propose a density of 1.26 homes per acre.

RECENT REZONINGS - No

TRAFFIC

Metro Public Works’ Comments: “This zone change of 15.86 acres from R40 to RS20 is associated with a 200 unit subdivision in Williamson County. A TIS [Traffic Impact Study] was submitted for the total subdivision. The TIS identified a collector road connection with the Williamson County subdivision which allows through traffic from Williamson County and access to Cloverland Dr. in Davidson County. This road will also serve regional traffic. This road connectivity results in a large increase in traffic entering Davidson County at this location.

Public Works does not support approval of a project or zone change until necessary road improvements are made that will provide a minimum LOS D, which [the] MPC has identified as the minimum level of service standard, at intersections impacted by the development.”

Metro Public Works had a list of roadway improvements and mitigations that are required prior to Public Works recommending approval of the zone change and of the connection to the Metro Davidson County roadway network. Public Works and Planning are now recommending that the roadway connection between cities / counties be stopped short until all those roadway improvements and mitigations are completed on the Metro Davidson County side.

Typical Uses in Existing Zoning District: R40

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	15.86	0.93	15	181	20	20

Typical Uses in Proposed Zoning District: RS20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	15.86	1.85	29	332	30	36

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

Land Use (ITE Code)	Acres	--	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	---	+14	+149	+10	+16

METRO NASHVILLE PUBLIC SCHOOLS REPORT

Schools (Projected New Students) 4 Elementary 3 Middle 2 High

Schools Over / Under Capacity - Students would attend Granbery Elementary, Croft Middle, and Overton High School. Granbery Elementary and Overton High School have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

Mr. Mitchell presented and stated that staff is recommending approval. Mr. Preston also stated that it is staff's recommendation that this approval include a condition that states any future development right-of-way must be extended north from Old Smyrna Road in Williamson County to the Cloverland Drive/Church Street intersection in Metro Davidson County, but the improved roadway must stop approximately 50-feet short of Cloverland Drive/Church Street.

Mr. Bernhardt stated that this condition is still being negotiated and that the Commission will most likely be hearing from the applicant.

Mr. Tom White, legal representative for the applicant, stated that they are requesting approval with the specificity that it be approved with a condition stating that with any future development of this site a roadway must be extended north from Old Smyrna Road in Williamson County to a properly reconstructed Cloverland Drive/Church Street intersection in Metro Davidson County to be done at the expense of the developers and that \$200,000 be placed in an escrow account acceptable to Metro to offset the impact of this development on roadways within Davidson County. Such funds shall be spent at the discretion of the Department of Public Works to address roadway issues in the project's impact area.

Mr. Ed Owen, Gresham, Smith & Partners, spoke in favor of the proposal and the current condition being proposed by Mr. White.

Councilmember Toler spoke in favor of the development. He too expressed concerns regarding street connectivity and any future development and its relation to the proposal.

Mr. McLean moved and Mr. Loring seconded the motion, which passed unanimously, to adopt staff's recommendation to approve with a condition that with any future development of this site a roadway must be extended north from Old Smyrna Road in Williamson County to a properly reconstructed Cloverland Drive/Church Street intersection in Metro Davidson County to be done at the developer's expense and that \$200,000 shall be placed in an escrow account acceptable to Metro to offset the impact of this development on roadways within Davidson County. Such funds shall be spent at the discretion of the Department of Public Works to address roadway issues in the project's impact area. **(8-0)**

Resolution No. 2004-089

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2004Z-032U-12 is **APPROVED WITH NEW CONDITIONS. (8-0)**

Conditions of Approval:

Approved with a condition that with any future development of this site a roadway must be extended north from Old Smyrna Road in Williamson County to a properly reconstructed Cloverland Drive/Church Street intersection in Metro Davidson County to be done at the developers expense and that \$200,000 shall be placed in an escrow account acceptable to Metro to offset the impact of this development on roadways within Davidson County. Such funds shall be spent at the discretion of the Department of Public Works to address roadway issues in the project's impact area.

The proposed RS20 district is consistent with the Subarea 12 Plan's Residential Low Medium (RLM) policy calling for residential development within a density range of two to four dwelling units per acre. This rezoning is associated with a proposed subdivision that is largely located within in Williamson County. This subdivision proposes a collector street connection between the existing roadway network in Brentwood and the Cloverland Drive/Old Hickory Boulevard connection in Davidson County. The approval includes a condition that with any future development of this site a roadway must be extended north from Old Smyrna Road in Williamson County to a properly reconstructed Cloverland Drive/Church Street intersection in Metro Davidson County to be done at the developer's expense and that \$200,000 shall be placed in an escrow account acceptable to Metro to offset the impact of this development on roadways within Davidson County. Such funds shall be spent at the discretion of the Department of Public Works to address roadway issues in the project's impact area."

6. **2004Z-036G-14**
Map 86, Parcels 138, 139
Subarea 14 (2004)
District 14 (White)

A request to change from RS10 to CS district properties at Route 1 and 3746 Central Pike, at the southwest corner of Dodson Chapel Road and Central Pike intersection (2.96 acres), requested by Jeff Smith, Nashville Real Estate Exchange, for Odell Binkley, owner.

Staff Recommendation - Deferred until Subarea 14 Plan Update is adopted, which is expected to be April 8, 2004 and until Public Works has reviewed the Traffic Impact Study.

APPLICANT REQUEST - Rezone 2.96 acres from residential single-family (RS10) to commercial services (CS) district property at Route 1 and 3786 Central Pike, southwest corner of Dodson Chapel Road and Central Pike intersection.

Existing Zoning

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

Proposed Zoning

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

SUBAREA 14 PLAN POLICY

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

Policy Conflict - Yes. The proposed zoning district (CS) is not consistent with the RM policy calling for residential development within a density range of four to nine dwelling units per acre. Central Pike is expected to be widened to five lanes, however, CS would be too intense and inconsistent with the existing residential uses surrounding the property. If Central Pike is widened, mixed-use development may be appropriate. The Subarea 14 Plan Update is underway and is expected for completion by the April 8, 2004 Planning Commission meeting. The RM policy may change and allow for commercial/retail uses.

RECENT REZONINGS - None.

TRAFFIC - A Traffic Impact Study has been requested by Metro Public Works and the applicant is in the process of completing the TIS.

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached	2.96	3.7	11	--	18	5

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office	2.96	0.198	375	5	2	2

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	-16	-13

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached	2.96	3.7	11	--	18	15

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market/Retail	2.96	0.6	77,362		2399	2674

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

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+2381	+2659

Planned Roadway Capital Improvements:

Location	Project	Funding	Projected Date
CENTRAL PIKE—COMBINED PROJECTS	CENTRAL PIKE LEBANON PIKE (STATE ROUTE 24) TO INTERSTATE 40 CONNECTOR, ENGINEERING, RIGHT-OF-WAY, RECONSTRUCT AND WIDEN, INCLUDES BRIDGE OVER STONER CREEK	PROPOSED G.O. BONDS, FEDERAL FUNDS, APPROVED G.O. BONDS	FY03-04 TO FY05-06

Ms. Harris presented and stated that staff is recommending deferral until April 8, 2004, in order to hear the updated Subarea Plan 14, which is associated with this development.

Ms. Deborah Timmons, 213 Woodland Court, mentioned that the community is not in opposition to development, they just want to make sure that the development is of quality and it will enhance the area.

Ms. Susan Floyd, 222 Bonnebrook Drive, spoke in opposition to the proposal.

Mr. James Burnett, 2700 Fleet Drive, spoke in opposition to the proposal.

Mr. Odell Binkley, owner, spoke in favor of the proposal. He commented that his development would add character and be beneficial to the neighborhood.

Ms. Kim Wall, spoke in opposition to the proposal – stated it would be inappropriate to the area.

Councilmember White spoke in favor of the proposal. He stated that the proposed development would enhance the community.

The Commission discussed at length, their options regarding this request and the various outcomes which would result if the Subarea Plan 14 was not ready for presentation at the April 8, 2004.

Ms. Nielson moved and Ms. Jones seconded the motion, to defer Zone Change No. 2004Z-036G-14 until to April 8th, 2004. (6-2) Loring and Clifton – No Votes

The Metropolitan Planning Commission DEFERRED to the April 8, 2004 meeting. (8-0)”

The commission recessed at 5:15 p.m.

The commission resumed at 5:25 p.m.

Councilmember Loring & Mr. Ponder, left the meeting at 5:25 p.m.

-
7. **2004Z-038U-10**
Map 131.03 Parcel 49, 50
Subarea 10 (1994)
District 25 (Shulman)

A request to change from R10 and R15 to RS10 at 4217 and 4219 Lone Oak Road, approximately 130 feet south of Westover Park Court (1.92 acres), requested by Eric Alldredge, Alldredge Kirby Development, LLC, for Gary Bergin and William and Debra Derra and Patricia Cowan, owners. (See 2004P-006U-10).

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 1.92 acres from residential (R10 & R15) to residential (RS10) district property located along the west margin of Lone Oak Road, approximately 830 feet south of Shackelford Road in the Green Hills area.

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.

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

Proposed Zoning

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.

SUBAREA 10 PLAN

Residential Low-Medium (RLM) - RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate. The Subarea 10 Plan states: "The reasons for applying RLM to these areas are primarily: a) it matches the existing pattern of single-family development with scattered two-family structures, and b) these areas are expected or planned to remain at approximately the same residential density throughout the planning period."

Policy Conflict - No. The associated PUD plan calls for single-family development, which is compatible with much of the existing housing stock in the Green Hills area. This particular area of Lone Oak Road between Warfield Drive and Overhill Drive has redeveloped with smaller lots and several townhouse projects. This new PUD plan calls for single-family only and proposes lots sizes of 5,700 square feet, which is consistent with, or larger than, recent townhouse developments in the area.

RECENT REZONINGS - No

TRAFFIC

Metro Public Works Recommendation: No Exception Taken

METRO NASHVILLE PUBLIC SCHOOLS REPORT

School (Projected New Students) 1 Elementary 0 Middle 0 High

Schools Over / Under Capacity - Students would attend Percy Priest Elementary, Moore Middle, and Hillsboro High School. Moore Middle has been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

[Note: Items 7 & 8 were heard and discussed before the Planning Commission together. See item No. 8 for actions and resolutions.]

- 8. 2004P-006U-10**
Lone Oak Property
Map 131-03, Parcels 49, 50
Subarea 10 (1994)
District 25 (Shulman)

A request for preliminary approval for a Planned Unit Development located abutting the west margin of Lone Oak Road south of Westover Court, classified R10 and R15 and proposed for RS10, (1.92 acres), to permit the development of 7 single family lots, requested by Wamble and Associates for William and Debra Derra and Gary Bergin and Patricia Cowan, owners. (See Zone Change Proposal Number 2004Z-038U-10).

Staff Recommendation - Approve with conditions, but disapprove variance for sidewalks along the north side of the new public street. Staff recommends, however, that the Commission consider approving the variance for the north side sidewalk if the applicant will construct sidewalks in the existing Lone Oak right-of-way that will extend the existing Metro sidewalk network.

APPLICANT REQUEST

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

PLAN DETAILS

The plan proposes seven single-family lots on a new public cul-de-sac that will run westward off of Lone Oak Road. The plan proposes a standard 46-foot right-of-way with a sidewalk on the south side of the street where the new homes are proposed. The applicant is requesting a sidewalk variance for the north side of the new street. Six of the seven homes will share three 16-foot wide driveways, and all homes will have garages located in the rear of the lot with the house pulled forward to the 20-foot street setback line. The required 20-foot buffer is appropriately provided along Lone Oak Road as well as a 10-foot, Type "A", buffer along the north side of the new street where it faces the rear of the Westover Plantation townhouses.

Sidewalk Variance - The plan includes a request for a sidewalk variance (Section 2-6.1 of the Subdivision Regulations) along the north side of the proposed road. No lots are proposed along the north side of this road. Staff has identified no hardship that would prevent the construction of a sidewalk at this location. Staff recommends, however, that the Commission consider approving the sidewalk variance with the condition that the applicant construct a sidewalks in the existing Lone Oak right-of-way that will extend the existing Metro sidewalk network.

METRO PUBLIC WORKS' COMMENTS

No Exception Taken.

CONDITIONS

This preliminary plan approval for this portion of the master plan is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.

Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.

Mr. Mitchell presented and stated that staff is recommending approval, but is recommending disapproval of the variance for sidewalks along the north side of the new public street due to developer hardships. However, Mr. Mitchell announced that staff has been working with the applicant and Public Works to generate an alternative plan in lieu of disapproval of the sidewalk variance.

Mr. Ed Shoulders, representing the Westover Plantation Association, spoke in favor of the rezoning and the PUD but expressed concerns regarding the privacy of current homeowners in the area. He would like to see a buffer placed appropriately.

Councilmember Shulman stated that they have had a couple of neighborhood meetings regarding this proposal. He stated that the constituents are in favor of the rezoning and the PUD but would like to see a buffer along the north side of the development instead of the sidewalk.

Mr. Eric Aldridge, developer, stated that they have agreed to place a buffer on the north side of the development, but requested that the sidewalk variance be granted, due to the fact that the additional costs would be a hardship.

Mr. Ponder suggested that staff continue to work with the developer to investigate ways that the sidewalk and buffer could be included in the proposal and not cause hardships for the developer.

Mr. Tyler requested additional information on the requirements of a buffer zone. He also commented on the cost issues associated with placing sidewalks in the development.

Mr. Clifton commented that the Commission has a commitment to include sidewalks within a development due to the fact that they provide accessibility and services to communities.

Mr. McLean spoke in favor of the development but expressed concerns regarding the sidewalk variance request.

Ms. Nielson requested clarification on the different types of buffer zones and their requirements.

Ms. Jones stated she understood the perplexity of the issues associated with this project and would support a deferral to allow the developer, Public Works and staff resolve the immediate issues, but if not, she was in support of staff's recommendation.

Councilmember Loring stated he was in agreement with Mr. Clifton's views on this issue.

The Commission briefly discussed their options regarding this proposal.

Mr. Clifton moved, and Mr. McLean seconded the motion, to approve Zone Change No. 2004Z-038U-10 and Preliminary Planned Unit Development No. 2004P-006U-10, but to disapprove the sidewalk variance. The Commission also requested that the on-going discussions continue between staff, the developer and public works and that this issue be brought back to the Commission before final plat approval was granted.

Councilmember Shulman stated that the Community would much rather see a buffer in place of the sidewalks.

Mr. Clifton stated that the sidewalks would not be traded in place of the requested buffer zone.

The motion was approved. **(8-0)**

Resolution No. 2004-90

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change No. 2004Z-038U-10 is **APPROVED. (8-0)**

The proposed RS10 district is consistent with the Subarea 10 Plan's Residential Low Medium (RLM) policy calling for residential development within a density range of two to four dwelling units per acre. The associated PUD (2004P-006U-10) plan calls for single-family development, which is compatible with the existing housing stock in proximity to this proposed development."

Resolution No. 2004-91

"BE IT RESOLVED by the Metropolitan Planning Commission that PUD No. 2004P-006U-10 is **APPROVED but disapproved sidewalk variance and direct staff to work with applicant on relocation of the sidewalk within Loan Oak Row. (8-0)"**

Mr. Bernhardt announced that Item #6 – 2004Z-036G-14 was inadvertently approved on the Deferred and Withdrawn Items list, and should not have been. He stated that the applicant was present and is requesting that this item be discussed.

Mr. McLean moved, and Mr. Loring seconded the motion, which passed unanimously, to remove Item #6 – 2004Z-036G-14 from the approved Deferred and Withdrawn Items list. (8-0)

IX. PRELIMINARY SUBDIVISION PLATS

- 9. 2003S-273G-13**
Lakeside Cove at Percy Priest
Map 151, Parcel 16
Subarea 13 (2003)
District 33 (Bradley)

A request for preliminary plat approval for 216 lots abutting the south margin of Hobson Pike and Smith Springs Parkway (87.31 acres), classified within the R15 District, requested by Erol Genca & Pong Moon Chang, owners, Gresham Smith & Partners, surveyors.

Staff Recommendation - Approve with conditions, and including a variance for the length of dead-end streets.

APPLICANT REQUEST

Preliminary Plat - Subdivide 87.31 acres into 216 single-family lots along the south margin of Hobson Pike and Smith Springs Parkway.

ZONING

R15 District - R15 district, requiring a minimum lot size of 15,000 square feet and intended for single and two-family dwellings at an overall density of 2.47 dwelling units per acre, or 3.09 units per acre with 25% duplex lots. The R15 district permits a maximum of 216 lots or 270 units with 25% duplex lots. No duplex lots are proposed.

There was a rezoning request on this property in 2003, to change from R15 to RS10, but the Metro Council defeated that proposal.

CLUSTER LOT OPTION - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of R15 (minimum 15,000 sq. ft. lots) to R8 (minimum 8,000 sq. ft. lots). The proposed lots range in size from 8,007 square feet to 13,883 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant complies with this requirement by proposing a total of 31.8 acres (36.4%) of open space – which exceeds the minimum open space acreage required.

SUBDIVISION DETAILS - This property contains multiple sinkholes. The design of the subdivision places all of the sinkholes within open space and out of building sites. If more sinkholes are discovered at any point in the development process, the design should be adjusted to place those in open space also.

The eastern and southern boundaries of this proposal abut U.S. Corps of Engineer Property surrounding Percy Priest Lake. There is one stub street provided to connect with the property to the east if it develops in the future.

Variance - There is a proposed variance for the length of two of the dead-end streets exceeding 750 feet. Two of the proposed cul-de-sacs are approximately 1,000 feet in length, while Section 2-6.2.1 G of the Subdivision Regulations limits dead-end streets to 750 feet. Since this property contains a large amount of sinkholes and is surrounded by Corps of Engineer property, the variance is necessary to minimize disturbance to environmental features on the property.

TRAFFIC ENGINEER'S FINDINGS

1. Install northbound and southbound left turn lanes on Hobson Pike at Smith Springs Road with 125 ft. storage lanes and transitions per AASHTO. Coordinate lane dimensions with the MPO TIP plan.
2. Install a left turn lane on Smith Springs Road at Hobson Pike with 75 ft. storage length and transition per AASHTO. The TIS identified that the existing pavement width may accommodate this lane.
3. Install a westbound 12 ft. wide left turn lane with 75 ft. storage length and transition per AASHTO, and a through /right lane on the Project access road aligned opposite Smith Springs Road. Provide adequate sight distance.
4. Conduct traffic counts after the issuance of 100 building permits. If a traffic signal is not warranted at that time perform traffic counts after the issuance of 200 building permits. Install a traffic signal at this location when warranted and design approval by the Metro Public Works Department. Pedestrian facilities per ADA standards shall be installed. Analyze the need for advance beacons to warn of traffic signal and install if warranted and approved by Metro traffic engineer.
5. Install a northbound left turn lane on Mt. View Road at Hamilton Church Road with 125 ft. storage lane length and transition per AASHTO.

The above are traffic conditions. All other items are subject to construction plans review when submitted.

CONDITIONS

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

1. If existing vegetation is to be used in required landscape buffer yards, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.

Ms. Fuller presented and stated that staff is recommending approval with conditions.

Mr. Lawson requested clarification on the responsibility of soil stability contained within this proposal.

Councilmember Bradley spoke in favor of the development; however, expressed concerns regarding the additional traffic that would be generated by the development. He requested that a re-evaluation be conducted to determine which condition should be included in the proposal that would help alleviate traffic congestion and would best serve the community.

Mr. Ed Owen, GS&P, explained that the developer agreed to the recommendation to making improvements at Mt. View Road & Hamilton Church Road, but can not agree to the additional condition to improve Smith Springs Road as well. Mr. Owen stated that the developer will continue to work with the Public Works Department to find resolution before final approval of this proposal.

Mr. Albert Bender, 5980 Mt. View Road, Chairperson, Four Corners Neighborhood Association, spoke in opposition to the proposal. He stated that the neighborhood opposed the development due to the density of the project, its impact on overcrowded schools and additional traffic that would be generated.

Mr. McLean moved, and Mr. Clifton seconded the motion, which passed unanimously, to approve Preliminary Plat Subdivision No. 2003S-273G-13 with the added condition to either install a northbound left turn lane on Mt. View Road at Hamilton Church Road with 125 ft. storage lane length and transition per AASHTO or participate in the completion of the Smith Springs Road corridor at a level acceptable to Public Works. **(6-0)**

Resolution No. 2004-092

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2003S-273G-13 is **APPROVED WITH CONDITIONS including a variance for length of dead-end streets. (8-0)**

Condition of Approval:

1. Install northbound and southbound left turn lanes on Hobson Pike at Smith Springs Road with 125 ft. storage lanes and transitions per AASHTO. Coordinate lane dimensions with the MPO TIP plan.
2. Install a left turn lane on Smith Springs Road at Hobson Pike with 75 ft. storage length and transition per AASHTO. The TIS identified that the existing pavement width may accommodate this lane.
3. Install a westbound 12 ft. wide left turn lane with 75 ft. storage length and transition per AASHTO, and a through /right lane on the Project access road aligned opposite Smith Springs Road. Provide adequate sight distance.
4. Conduct traffic counts after the issuance of 100 building permits. If a traffic signal is not warranted at that time perform traffic counts after the issuance of 200 building permits. Install a traffic signal at this location when warranted and design approval by the Metro Public Works Department. Pedestrian facilities per ADA standards shall be installed. Analyze the need for advance beacons to warn of traffic signal and install if warranted and approved by Metro traffic engineer.
5. Install a northbound left turn lane on Mt. View Road at Hamilton Church Road with 125 ft. storage lane length and transition per AASHTO.
6. If existing vegetation is to be used in required landscape buffer yards, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval. “

- 10. 2004S-064G-14**
Warren Place, revision 1
Map 34, Parcel 79
Subarea 14 (1996)
District 11 (Brown)

A request for preliminary approval for 8 lots abutting the north margin of Warren Drive and the west margin of Swinging Bridge Road (3.18 acres), classified within the R10 and R15 Districts, requested by Jerry C. Harlin and Dunklin Murrey, owners and, Burns & Associates, surveyor.

The Metropolitan Planning Commission DEFERRED this item to the April 22, 2004 meeting. (7-0)

- 11. 2004S-065G-13**
Hickory Woods Close
Map 76, Parcels 14 & 15
Subarea 13 (2003)
District 32 (Coleman)

A request for preliminary plat approval to create a 27 lot cluster subdivision located abutting the east margin of Laverne Couchville Pike, opposite Rockland Trail, (7.34 acres), classified within the RS10 district, requested by Rodney Wise, owner, and Dale & Associates, engineer.

Staff Recommendation - *Approve with conditions.*

APPLICANT REQUEST

Preliminary Plat - Subdivide 7.32 acres into 27 lots along the east margin of Laverne Couchville Pike, opposite Rockland Trail.

ZONING

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

CLUSTER LOT OPTION - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots). The proposed lots range in size from 6,210 square feet to 10,560 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant complies with this requirement by proposing a total of 1.62 acres (22.13%) of open space – which exceeds the minimum open space acreage required.

SUBDIVISION DETAILS - This subdivision proposes two stub streets to connect with the neighboring parcel to the south as it develops.

TRAFFIC ENGINEER'S FINDINGS - No exception taken.

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

1. If existing vegetation is to be used in required landscape buffer yards, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.

Ms. Fuller presented and stated that staff is recommending conditional approval.

Mr. Albert Bender, 5980 Mt. View Road, Chairperson, Four Corners Neighborhood Association, spoke in opposition to the proposal.

Mr. McLean moved and Mr. Clifton seconded the motion, which passed unanimously, to approve Preliminary Subdivision Plat No. 2004S-065G-13. (6-0)

Resolution No. 2004-093

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2004S-065G-13 is **APPROVED WITH CONDITIONS. (6-0)**

Conditions of Approval:

1. If existing vegetation is to be used in required landscape buffer yards, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.”

X. FINAL PLATS

12. **2004S-061U-10**
Glenn Monroe Property, Resub. Of Reserved Parcel, Revision 1
Map 104-10, Parcel 205
Subarea 10 (1994)
District 18 (Hausser)

A request to remove the reserve status on a lot and create 2 lots abutting the east margin of 32nd Avenue South, approximately 160 feet south of Overlook Drive (0.4 acres), classified within the R8 District, requested by A/E Construction, Inc., owner, Campbell, McRae and Associates, Inc., surveyor.

Staff Recommendation - *Approve with conditions* and a sidewalk variance.

APPLICANT REQUEST

Final Plat - Create 2 lots from an existing reserve parcel at 32nd Avenue South near Overlook Drive (0.4 acres), classified within the R8 District. A final subdivision plat was approved on November 13, 2003, to convert the reserve parcel to one lot. That plat was never recorded.

ZONING

R8 District - R8 district, requiring a minimum lot size of 8,000 square feet and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

SUBDIVISION DETAILS - This request is consistent with the existing zoning on the property. The original plat, recorded June 17, 1971, states, “Reserved – not to be used as a building site until approved by the Metropolitan Planning Commission.” There is no other reason listed on the plat explaining why this parcel was reserved.

The Stormwater Management Committee has granted an appeal to allow the grading permit to be obtained after recordation of this plat and not to require Stormwater detention for these lots.

Lot comparability could not be applied because there were no lots to compare it to. The lots across the street are zero-lot line attached units and smaller than the base zoning district. No other lots front of this street.

SIDEWALK VARIANCE - The applicant has requested a sidewalk variance due to the steep topography of the street and the lack of sidewalks in the area. Public Works staff has visited the site and verified that this street has a very steep grade in this location. Although the maps show 32nd Avenue as a through-street to Blair Boulevard, 32nd Avenue dead ends at the top of the hill just past this property.

Staff recommends approval of the sidewalk variance request due to the steep topography at this location.

TRAFFIC ENGINEER’S FINDINGS - No exception taken.


CONDITIONS - Staff recommends conditional approval of this final plat, subject to the application obtaining

1. Water Services approval prior to plat recordation.

Ms. Fuller presented and stated that staff originally recommended approval with conditions for this proposal, but has recently changed their recommendation to disapprove, due to lot comparability and the current subdivision regulations.

Ms. Fuller announced that Councilmember Hausser had written a letter expressing opposition to this proposal.

Mr. Adam Epstein, 3704 Hobbs Road, distributed information to the Commission and requested approval of the development.

Ms. Mandy Walker,  Valleybrook Place, distributed information to the Commission and spoke in favor of the proposal.

Mr. Mike Carrigan, 2820 Hillside Drive, spoke in opposition to the proposal due to lot comparability.

Mr. Tom Grooms, Hillsboro West End Neighborhood Association, spoke in opposition to the proposal due to lot comparability.

Mr. David Powell, architect, spoke in favor of the proposal – he suggested that the subdivision of the lot would be compatible.

Mr. Alex Hickleson, 2117 32nd Avenue South, West View Park Homeowners Association, spoke in opposition due to lot comparability.

Ms. Jane Holston, a resident in the area, spoke in opposition to the project.

Ms. Kate Rady, spoke in opposition to the project due to drainage issue and parking conditions.

Ms. Portia McMillian, 3201 Overlook Drive, spoke in opposition to the proposal.

A resident from 3202 Overlook Drive spoke in opposition to the project due to drainage issues and lot comparability.

Mr. Tyler expressed he was in agreement with staff's first recommendation to approve. He did not agree with the fact that the lot did not meet the comparability test.

Mr. Clifton expressed his concerns regarding lot comparability and its relation to this proposal. He did comment that he was in agreement with staff's revised recommendation to disapprove.

Ms. Jones expressed concerns regarding lot comparability in relation to staff's recommendation.

Mr. McLean moved, and Mr. Tyler seconded the motion to approve Final Plat No. 2004S-061U-10 based on the fact that lot sizes meet R8 criteria; contain the 95 ft. frontage, and will be located on a dead end street facing existing condominiums.

Mr. Clifton commented that the Commission has an obligation to consider the abutting properties contained in the proposal and their relation to lot comparability, but has no legal authority to consider the properties on the other side of 32nd Avenue.

Mr. Bernhardt explained the different options available to the Commission in regards to their recommendation. He stated that the Commission could possibly approve this recommendation under the variance provisions contained within the subdivision regulations. Mr. Bernhardt read the provisions of variance to the Commission.

The Commission briefly discussed these provisions to try to determine if the proposal met the requirements of the variance clause under the subdivision regulations.

Mr. Fox offered his legal opinion regarding the options available to the Commission members.
The motion to approve failed. (3-3). Aye Votes – Tyler, Jones, McLean
No Votes – Nielson, Lawson, Clifton

Mr. Clifton moved, and Ms. Nielson seconded the motion to approve staff's revised recommendation to disapprove Final Plat No. 2004S-061U-10. (4-2) No Votes – Jones, Tyler

Resolution No. 2004-094

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2004S-061U-10 is **DISAPPROVED. (4-2)**”

XI. PLANNED UNIT DEVELOPMENTS (revisions)

- 13. 14-82-U-11**
South Plaza II
Map 132-15, Parcels 28.01
Subarea 11 (1999)
District 16 (MCClendon)

A request to cancel a portion of the Commercial Planned Unit Development located abutting the west margin of Sidco Drive at Elysian Fields Road, classified CL, (1.97 acres), approved for a 11,000 square foot restaurant, currently used as a retail store, requested by R. Chris Magill Architects, Inc. for Horrell Properties, owners.

Staff Recommendation - Approve

APPLICANT REQUEST - An application to cancel a 1.97 acre portion of an existing Commercial Planned Unit Development district located along the west side of Sidco Drive and the east side of Interstate 65.

DETAILS OF REQUEST

History - On March 16, 1982, Metro Council approved (BL82-843) a preliminary PUD plan to allow for the development of two restaurants and an office building. The plan was then amended in 1985, to allow for the development of a 104-unit motel facility (Red Roof Inn), which subsequently requested a reduction to the current 86 units.

To date, the motel remains open and there is an existing small structure to the north of the motel. The site requesting cancellation (parcel 28.01) is currently a retail facility. The owners are requesting, based on preference, to remove themselves from the PUD overlay.

Proposed Plan - No proposed plan was submitted because the applicant is seeking to cancel a portion of the PUD. It does not appear that the canceling of the PUD would create any nonconformities with the current bulk standards.

METRO PUBLIC WORKS' COMMENTS - No Exception Taken

Approved (8-0), *Consent Agenda*

Resolution No. 2004-095

“BE IT RESOLVED by the Metropolitan Planning Commission that PUD No. 14-82-U-11 is **APPROVED. (7-0)**”

- 14. 7-84-U-12**
A-Storage Inn
Map 161, Parcels 98 & 99
Subarea 12 (1997)
District 31 (Toler)

A request to revise the preliminary plan and for final approval for a portion of the Planned Unit Development located abutting the south margin of Old Hickory Boulevard east of Nolensville Pike, classified SCR, (5.44 acres), to permit the addition of a two story 10,000 square foot retail/self-storage building to the existing self storage facility, requested by Dale and Associates, applicant, for The Freeman Group, owners.

Staff Recommendation - *Approve with conditions.*

APPLICANT REQUEST

Revise Preliminary & Final PUD

Request for a revision to preliminary Planned Unit Development and for final PUD approval for the A-Storage Inn Commercial PUD to allow for the development of a 10,000 square foot retail and self-storage facility. The property is located along the south side of Old Hickory Boulevard, approximately 750 feet east of Nolensville Pike.

PLAN DETAILS

The plan proposes one new building (10,000 square feet), with 5,000 square feet on the 1st floor to accommodate retail space and the remaining 5,000 square feet, on the second floor, will contain a self-storage facility.

The addition of 10,000 square feet of floor area to the PUD does not increase the Council-approved square footage for the overall PUD by more than 10%, so Council approval is not required for this addition. Metro Council last amended the PUD in July of 1993 to allow a total floor area of 85,550 square feet. The total floor area constructed to date is 71,100 square feet. In order to allow the addition of 10,000 square feet to the plan for this portion of the PUD, without exceeding the Council approved square feet of development by more than 10%, the applicant is decreasing square footage on other portions of the plan.

METRO PUBLIC WORKS' COMMENTS

All comments were satisfactorily addressed by the applicant.

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

Approved with conditions **(8-0)**, *Consent Agenda*

Resolution No. 2004-096

"BE IT RESOLVED by the Metropolitan Planning Commission that PUD No. 7-84-U-12 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

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

2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission."

- 15. 98P-007U-12**
Seven Springs PUD Condominiums
Map 160, Parcel 46
Subarea 12 (1997)
District 31 (Toler)

A request for an amendment to an undeveloped phase of the Planned Unit Development located abutting the north side of Old Hickory Boulevard opposite Cloverland Drive, classified OR40, (8.27 acres), to permit the development of two 4 story buildings, each containing 72 condominium units, to replace 222 independent living unit and 48 assisted living units, requested by Barge Cauthen and Associates for Vastland Development Partnership, owners.

The Metropolitan Planning Commission DEFERRED this item to the March 25, 2004 meeting. (7-0)

XII. MANDATORY REFERRALS

- 16. 2004M-015U-13**
Street name change to Knapp Boulevard
Map Multiple
Subarea 13 (2003)
District 13 (Burch)

A request to name an unnamed street from the western terminus of Knapp Boulevard at Donelson Pike to its terminus at McCrory Creek Road, to "Knapp Boulevard," requested by Metro Public Works.

Mandatory Referral No. 2004M-015U-13 was WITHDRAWN at the request of the applicant.

- 17. 2004M-016U-13**
Rename section of McCrory Creek to Couchville Pike
Map 121
Subarea 13 (2003)
District 13 (Burch)

Rename a section of McCrory Creek Road from an unnamed road south of, and to, Couchville Pike to "Couchville Pike," requested by Metro Public Works.

Staff Recommendation - Approve

APPLICANT REQUEST - Rename a section of McCrory Creek Road to "Couchville Pike," requested by Metro Public Works.

There are currently two separate sections of McCrory Creek Road. In addition to the section in this location another section runs from Elm Hill Pike to Stewarts Ferry Pike. This name change is expected to reduce confusion about the street names for emergency personnel and residents.

Roadways in this area have been realigned as a result of airport expansion projects. Couchville Pike formerly intersected the eastern edge of Donelson Pike, but now ends at the intersection with the current McCrory Creek Road. This proposal will rename McCrory Creek Road as "Couchville Pike" from the current western terminus of Couchville Pike to the intersection of Faircloth Lane and a currently unnamed street, which is being named Knapp Boulevard per Mandatory Referral 2004M-015U-13.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

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

Approved (8-0), *Consent Agenda*

Resolution No. 2004-097

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2004M-016U-13 is **APPROVED (7-0).**"

- 18. 2004M-017U-10**
Rename section of Concord Park Road
Map 118-8A
Subarea 10 (1994)
District 24 (Summers)

Rename a section of Concord Park Road northeast of the northeast terminus of Concord Park E. to "Concord Park E.," requested by Metro Public Works.

Staff Recommendation - *Approve*

APPLICANT REQUEST - Rename that section of Concord Park Road located at the northeast terminus of Concord Park E. to "Concord Park E.," requested by Metro Public Works.

A portion of the private drive in front of parcels 34, 35, 36, 37, and 38 on Map 116-8-A in the Sugartree development was recorded as "Concord Park Road" but the street sign and the address being used by the residents on this section is "Concord Park E." The residents of the area have had problems being located by emergency services because of this discrepancy.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

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

Approved (8-0), *Consent Agenda*

Resolution No. 2004-098

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2004M-017U-10 is **APPROVED. (7-0)**"

- 19.** **2004M-018U-10**
Abandon 40' P.U.E. and relocate water line
Map 105-2, Parcels 442 & 443
Subarea 10 (1994)
District 17 (Greer)

A request to abandon a 40 foot Public Utility & Drainage Easement and relocate on existing and adjacent property at 1101 Cherry Avenue, requested by Dale and Associates for Studio Instrument Rentals of Tennessee, owner.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request to abandon a 40 foot public utility & drainage easement and relocate the easement on existing and adjacent property at 1101 Cherry Avenue, requested by Dale and Associates for Studio Instrument Rentals of Tennessee, owner.

There is an existing 6 inch water main in the existing easement that the applicant wishes to partially relocate on property approximately 40 feet adjacent to the west.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

RECOMMENDATION - The following departments or agencies have reviewed this request and recommended approval: Nashville Gas, Intermedia, NES, Metro Water Services, Public Works, Emergency Communications Center, and Codes Administration.

Approved **(8-0)**, *Consent Agenda*

Resolution No. 2004-099

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2004M-018U-10 is **APPROVED. (7-0)**”

- 20.** **2004M-021U-10**
Water Line and Easement Abandonment
Map 117-03, Parcel 32
Subarea 10 (1994)
District 18 (Hausser)

A request, by the Department of Water and Sewerage Services, to abandon a 6" water line and easement at 2600 Hillsboro Pike, approximately 150 feet south of Sweetbriar Avenue.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request, by Metro Water Services, to abandon a water line and easement at 2600 Hillsboro Pike, approximately 150 feet south of Sweetbriar Avenue.

This pertains to Project No. 04-WG-33, and is a water line and easement that arcs east and south from the northwest corner of Parcel 32, Map 117-03 at Hillsboro Pike.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

RECOMMENDATION - The following departments or agencies have reviewed this request and recommended approval: Metro Public Works and Metro Water Services.

Approved **(8-0)**, *Consent Agenda*

Resolution No. 2004-100

“BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2004M-021U-10 is **APPROVED. (7-0)**”

XIII. OTHER BUSINESS

21. Correction to January 8, 2004 and February 12, 2004 Minutes

Mr. Bernhardt explained the corrections to the minutes of the January 8, 2004 and February 12, 2004 minutes.

Mr. McLean moved, and Mr. Clifton seconded the motion, which passed unanimously, to approve the correction to the January 8 and February 12, 2004 minutes. (6-0)

Resolution No. 2004-101

WHEREAS, the Metropolitan Planning Commission adopted the Meeting Minutes of January 8, 2004 and February 12, 2004; and

WHEREAS, the following items in those minutes were incorrect and should be corrected:

1.. Resolution No. 2004-008 of the January 8, 2004 meeting should be corrected to read:

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-001G-14 is **APPROVED FOR RS10 RS15 ZONING, BUT DISAPPROVED FOR RS15 RS10 ZONING. (9-1)**”

2. Resolution No. 2004-055 of the February 12, 2004 meeting should be corrected read:

“BE IT RESOLVED, by the Metropolitan Planning Commission that 2003Z-013T is **DISAPPROVED. (8-0) (7-1)**
No vote – Councilman Loring”

NOW THEREFORE BE IT RESOLVED that the Metropolitan Planning Commission hereby **ADOPTS** the corrected minutes of January 8, 2004 and February 12, 2004. **(6-0)**”

22. Executive Director Reports

23. Legislative Update

XIV. ADJOURNMENT

The meeting was adjourned at 6:34 p.m.



Chairman

Secretary