



<b>Project No.</b>	<u><a href="#">Zone Change 2004Z-028G-14</a></u>
<b>Associated Case</b>	None
<b>Council Bill</b>	None
<b>Council District</b>	14 – White
<b>School District</b>	4 – Nevill
<b>Requested by</b>	Jack Hill, applicant/owner
<b>Staff Reviewer</b>	Harris
<b>Staff Recommendation</b>	<i>Approve</i>

**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



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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



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



<b>Project No.</b>	<b><u>Subdivision 2004S-021U-13</u></b>
<b>Project Name</b>	<b>Mark Marshall One Subdivision</b>
<b>Associated Cases</b>	2004Z-005U-13, 2004Z-017U-13 and 2004Z-018U-13
<b>Council District</b>	29 – Wilhoite
<b>School Board District</b>	6 - Awipi
<b>Requested By</b>	Mark Marshall, owner, Garry Batson, Batson & Associates Engineering, Inc., Engineer
<b>Deferral</b>	This item was deferred at the request of the applicant on January 22, 2004.
<b>Staff Reviewer</b>	Leeman
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

**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-



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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.



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### 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.



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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.



**Project No.**

**Project Name**

**Associated Cases**

**Council District**

**School Board District**

**Requested by**

**Subdivision 2004S-055G-12**

**Addition to Indian Creek**

None

31 – Toler

2 – Blue

Hurley-Y, owner

**Staff Reviewer**

Fuller

**Staff Recommendation**

*Approve with conditions*

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**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.

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**ZONING**

RS10

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

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**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.

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**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.





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### 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.

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### **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.

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### **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. [VIEW SKETCH.](#)



**Project No. Zone**

**Associated Case**

**Council Bill**

**Requested By**

**Staff Reviewer**

**Staff Recommendation**

[Change 2004Z-003T](#)

None

None

Staff

Harris

*Approve*

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**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.



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

[Zone Change 2004Z-032U-12](#)  
None  
None  
31 – Toler  
2 – George  
Gresham, Smith & Partners, applicant, for Gayron & Naomi Lyte, owners.

**Staff Reviewer**  
**Staff Recommendation**

Mitchell  
*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.*

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**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.**

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**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.

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**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.”



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### 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.

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### RECENT REZONINGS

No

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### 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.



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### 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

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### 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.



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

[Zone Change 2004Z-036G-14](#)  
None  
None  
14 – White  
4 – Nevill  
Jeff Smith, applicant, Odell Binkley, owner

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*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.*

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**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.

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**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



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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



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## 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





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

[Zone Change 2004Z-038U-10](#)  
2004P-006U-10  
None  
25 – Shulman  
8 – Harkey  
Alldredge Kirby Development, PLLC, applicant and optionee, for Gary W. Bergin & Patricia Cowan, and William & Debra Derra, owners.

**Staff Reviewer**  
**Staff Recommendation**

Mitchell  
*Approve*

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**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.**

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**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.

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**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



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### Policy Conflict

approximately the same residential density throughout the planning period.”

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.

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### RECENT REZONINGS

No

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### TRAFFIC

#### Metro Public Works Recommendation:

No Exception Taken

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### 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.



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

**Planned Unit Development 2004P-006U-10**  
**Lone Oak PUD**  
2004Z-038U-10  
None  
25 – Shulman  
8 – Harkey  
Wamble & Associates, PLLC, applicant, for Gary W. Bergin & Patricia Cowan, and William & Debra Derra, owners

**Staff Reviewer**  
**Staff Recommendation**

Mitchell  
*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.*

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**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 Shackelford Road in the Green Hills area.

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**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



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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.

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### METRO PUBLIC WORKS' COMMENTS

No Exception Taken.

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### CONDITIONS

1. This preliminary plan approval for this portion of the master plan is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
2. 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.



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

[Subdivision 2003S-273G-13](#)  
**Lakeside Cove at Percy Priest**  
None  
33 - Bradley  
6 - Awipi  
Erol Genca and Pong Moon Chang, owner, and  
Gresham, Smith & Partners, Engineer.

**Staff Reviewer**  
**Staff Recommendation**

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

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**APPLICANT REQUEST**  
**Preliminary Plat**

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

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**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.

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**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.

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**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



## Metro Planning Commission Meeting of 3/11/04

Variance

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.

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.

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### 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



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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.

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### 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.

[VIEW SKETCH](#)



**Project No.**

**Subdivision 2004S-064G-14**

**Project Name**

**Warren Place Subdivision**

**Associated Cases**

None

**Council District**

11- Brown

**School District**

4- Nevill

**Requested By**

Jerry C. Harlan and Dunklin Murrey, owners and Burns & Associates, surveyor.

**Staff Reviewer**

Leeman

**Staff Recommendation**

*Approve with conditions.*

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**APPLICANT REQUEST**

**Preliminary Plat**

This request is to subdivide 3.18 acres into 8 single-family lots along the north side of Warren Drive, south of Swinging Bridge Road.

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**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.

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**SUBDIVISION DETAILS**

This plat is consistent with the Subarea 14 Plan's Residential Low Medium (RLM) policy calling for two to four dwelling units per acre. Proposed lot sizes range from 10,000 square feet to 15,000 square feet. The proposed subdivision provides 0.47 acres (15%) of open space, while no open space is required since this is not a cluster lot subdivision. The open space includes a small portion of floodplain and a proposed detention pond. The detention pond is not within the floodplain area.

Sidewalks are proposed along the frontage of Warren Drive, as well as along both sides of Warren Court.

**STORMWATER**

The floodplain remains undisturbed with this proposal.

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**TRAFFIC ENGINEER'S FINDINGS**

No exception taken.

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## Metro Planning Commission Meeting of 3/11/04

### CONDITIONS

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

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. NES approval shall be submitted prior to final plat recordation.

[VIEW SKETCH](#)



<b>Project No.</b>	<u><a href="#">Subdivision 2004S-065G-13</a></u>
<b>Project Name</b>	<b>Hickory Woods Close</b>
<b>Associated Cases</b>	None
<b>Council District</b>	32 - Coleman
<b>School District</b>	6 - Awipi
<b>Requested By</b>	Rodney Wise, owner, and Dale and Associates, Surveyor.
<b>Staff Reviewer</b>	Fuller
<b>Staff Recommendation</b>	<i>Approve with conditions.</i>

**APPLICANT REQUEST**

<b>Preliminary Plat</b>	Subdivide 7.32 acres into 27 lots along the east margin of Laverge Couchville Pike, opposite Rockland Trail.
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**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.



**Project No.**  
**Project Name**

[Subdivision 2004S-061U-10](#)  
**Glenn Monroe Property,  
Resubdivision of Reserve Parcel**

**Associated Cases**  
**Council District**  
**School District**  
**Requested By**

None  
18 – Hausser  
8 - Harkey  
A/E Construction, owner, Campbell, McRae and Associates, Inc., surveyor

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve with conditions and a sidewalk variance.*

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**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.

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**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.

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**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.

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**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



## Metro Planning Commission Meeting of 3/11/04

this location. Although the maps show 32nd Avenue as a through-street to Blair Boulevard, 32<sup>nd</sup> 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.

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### **TRAFFIC ENGINEER'S FINDINGS**

No exception taken.

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### **CONDITIONS**

Staff recommends conditional approval of this final plat, subject to the application obtaining Water Services approval prior to plat recordation.



<b>Project No.</b>	<u><a href="#">Planned Unit Development 14-82-U-11</a></u>
<b>Project Name</b>	<b>South Plaza II Commercial PUD</b>
<b>Associated Case</b>	None
<b>Council Bill</b>	None
<b>Council District</b>	16 – McClendon
<b>School Board District</b>	7 – Kindall
<b>Requested By</b>	R. Chris Magill - Architect, Inc., applicant, for Horrell Properties, owner.
 <b>Staff Reviewer</b>	 Mitchell
<b>Staff Recommendation</b>	<i>Approve</i>

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<b>APPLICANT REQUEST</b>	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.
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<b>DETAILS OF REQUEST</b>	
<i>History</i>	<p>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.</p> <p>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.</p>
<i>Proposed Plan</i>	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.

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<b>METRO PUBLIC WORKS' COMMENTS</b>	No Exception Taken
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**Project No.**  
**Project Name**  
**Associated Case**  
**Council Bill**  
**Council District**  
**School Board District**  
**Requested By**

**Planned Unit Development 7-84-U-12**  
**A-Storage Inn Commercial PUD**  
None  
None  
31 – Toler  
2 – Blue  
Dale & Associates, applicant, for The Freeman Group, owner

**Staff Reviewer**  
**Staff Recommendation**

Mitchell  
*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 1<sup>st</sup> 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.



## Metro Planning Commission Meeting of 3/11/04

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### 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.

[VIEW SKETCH](#)



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

**Planned Unit Development 98P-007U-12**  
**Seven Springs PUD Condos**  
None  
None  
31 – Toler  
2 – Blue  
Barge Cauthen & Associates, Inc., applicant, for Vastland Development Partnership, owner

**Staff Reviewer**  
**Staff Recommendation**

Mitchell  
*Approve with conditions, including those previously approved by Metro Council.*

**APPLICANT REQUEST**  
**Amend Preliminary PUD**

Request for an amendment to the Seven Springs preliminary Planned Unit Development to allow for the development of 144 condominiums, in two buildings, replacing 222 independent living apartments and 48 assisted living apartments. The PUD is located along the north side of Old Hickory Boulevard, across from the terminus of Cloverland Drive. The area to be amended includes 8.27 acres.

**ZONING**  
*OR40*

OR40 (Office/Residential) zoning district is intended for office and/or multi-family residential units at up to 40 dwelling units per acre. This development proposes a density of 17 condominiums per acre – well below the maximum of 40.

**PLAN DETAILS**

The plan proposes two new buildings, each containing 72 units and 4 stories in height. The total floor area proposed for both buildings is 344,000 square feet. This change to the PUD must be approved by Metro Council as an amendment because the proposed 4-story height exceeds the height controls established by the Council-approved plan, which set maximum heights along the eastern property line at specified setbacks for the independent and assisted living facilities.

The Council-approved plan established that, along the eastern property line, a 3-story building could be constructed at the 150-foot setback line and that a 4-story building could be built at the 200-foot setback line. Although the Council added those setbacks as a





## Metro Planning Commission Meeting of 3/11/04

condition, the proposed plan meets the Zoning Code requirement of maximum 45 feet in height at the setback line (20 feet) with a 2:1 inward slope. The plan does not comply with the conditions previously approved by Council. The plan proposes that both buildings will be placed 135 feet from the east property line. Staff recommends approval of the new setbacks in the proposed plan. All other supplemental conditions added as part of the Council-approved plan should be carried over to this plan – such as additional screening and buffering required along the east property line adjacent to the Hearthstone subdivision.

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### METRO PUBLIC WORKS' COMMENTS

The applicant satisfactorily addressed all Public Works comments.

Although not a factor in this amendment, this PUD was conditioned upon significant roadway improvements being completed along Old Hickory Boulevard and into Cloverland Drive. Those improvements have either been completed, are under construction, or have been appropriately bonded.

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### SCHOOLS

**10 Elementary   7 Middle   6 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.

[VIEW SKETCH](#)



**Project No.**  
**Project Name**

[Mandatory Referral 2004M-015U-13](#)  
**New Street Name: McCrory Creek Road  
area to “Knapp Boulevard”**

**Council Bill**  
**Council District**  
**Requested By**

None  
13 - Burch  
Metro Public Works

**Staff Reviewer**  
**Staff Recommendation**

Reed  
*Approve*

**APPLICANT REQUEST**

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

This road was built between Donelson Pike and McCrory Creek Road and never named. On some maps it is shown as Couchville Pike and the road remaining unnamed could cause problems for emergency service personnel.

**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, Emergency Communications Center, and NES.



**Project No.**  
**Project Name**

[Mandatory Referral 2004M-016U-13](#)  
**Rename section of McCrory Creek Road to  
“Couchville Pike”**

**Council Bill**  
**Council District**  
**Requested By**

None  
13 - Burch  
Metro Public Works

**Staff Reviewer**  
**Staff Recommendation**

Reed  
*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.



**Project No.**  
**Project Name**

**Mandatory Referral 2004M-017U-10**  
**Rename a section of Concord Park Road to  
“Concord Park E.”**

**Council Bill**  
**Council District**  
**Requested By**

None  
24 - Summers  
Metro Public Works

**Staff Reviewer**  
**Staff Recommendation**

Reed  
*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.



**Project No.**  
**Project Name**

[Mandatory Referral 2004M-018U-10](#)  
**Abandon 40' public utility easement and relocate water line**

**Council Bill**  
**Council District**  
**Associated Case(s)**  
**Requested By**

None  
17 - Greer  
2004S-060U-10  
Dale and Associates, agent for Studio Instrument Rentals of Tennessee, owner

**Staff Reviewer**  
**Staff Recommendation**

Reed  
*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.



<b>Project No.</b>	<a href="#"><u>Mandatory Referral 2004M-021U-10</u></a>
<b>Project Name</b>	<b>Water Line and Easement Abandonment</b>
<b>Council Bill</b>	None
<b>Council District</b>	18 – Hausser
<b>School District</b>	8 - Kathleen Egerton Harkey
<b>Requested By</b>	Metro Water Services
<b>Staff Reviewer</b>	Harris
<b>Staff Recommendation</b>	<i>Approve</i>

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**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.

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**DEPARTMENT AND AGENCY COMMENTS**

No responding departments or agencies take exception.

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**RECOMMENDATION**

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