



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2002Z-101U-06
None
None
Leeman

Staff Recommendation

Approve with conditions. The OR20 and MUL districts are consistent with the emerging zoning pattern in the area and the existing commercial and high-density multi-family zoning districts in the area

APPLICANT REQUEST

Rezone 12.4 acres from office and residential (OR20) and residential (R40) to OR20 (3.16 acres) and Mixed Use Limited (MUL) (9.238 acres) at 6950 Charlotte Pike.

Existing Zoning
R40 zoning

R40 zoning is intended for single-family homes and duplexes at 0.92 units per acre.

OR20 zoning

OR20 zoning is intended for office and multi-family residential at a maximum density of 20 dwelling units per acre.

Proposed Zoning
OR20 district

OR20 is intended for office and multi-family residential at a maximum density of 20 dwelling units per acre. The portion of the site proposed for OR20 would allow 63 multi-family units.

MUL district

MUL is intended for moderate intensity mixture of residential, retail, and office uses.

SUBAREA 6 PLAN POLICY

Commercial Mixed
Concentration (CMC)

CMC policy is intended for major concentrations of retail, offices, and medium density residential.

Policy Conflict

None. The OR20 and MUL districts are consistent with the Subarea 6 Plan's CMC policy along the frontage of the property at Charlotte Pike. This policy was adopted by the Planning Commission on February 13, 2003. Previous rezonings have created the emergence of higher intensity development in the area, including the CS zoning to the west for the Super Wal-Mart. The OR20 and MUL districts are consistent with the emerging zoning pattern in the area and the existing commercial



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and high-density multi-family zoning districts in the area.

RECENT REZONINGS

The property directly to the west was rezoned from R40 and AR2a to CS in 1997 to allow for the Super Wal-Mart.

TRAFFIC

Charlotte Pike is classified as a U4 on the Major Street Plan, calling for four lanes with 84 feet of right-of-way and a center turn lane. Currently, this portion of Charlotte Pike has only four lanes with no center turn lane. Charlotte Pike already exceeds the minimum right-of-way requirement with 152 feet of right-of-way. Based on the typical uses in OR20 and MUL, which would allow approximately 512,000 square feet of commercial and office uses or 465 multi-family residential units*, approximately 2,700 to 5,600 trips per day would be created. The Metro Traffic Engineer has indicated that TDOT is planning on installing a traffic signal at Charlotte Pike and Cabot Drive, and one at the eastbound on-ramp and westbound off-ramp of I-40 and Charlotte Pike.

* The number of residential units is based on an assumption of 1,000 square foot units.

Metro Traffic Engineer's Findings

Approve with condition, including upgrade Charlotte Pike to Major Street Plan standards (currently U4) to include a center turn lane from Cabot Drive to the western property frontage of parcel 17 on tax map 102, and widen Cabot Drive to collector street standards from the Charlotte Pike intersection to the driveway entrance on Cabot Drive, including a left-turn lane. The developer needs to verify adequate sight distance from any proposed access point or provide remedies to obtain adequate sight distance. Also, the proposed traffic signal at Charlotte Pike and Cabot Drive needs to be operational before the final plat is recorded.

SCHOOLS

4 Elementary 3 Middle 3 High

Schools Over/Under Capacity

If the property were developed under the proposed zoning districts, 10 students could be generated. Students would attend Brookmeade Elementary School, H.G. Hill Middle School, and Hillwood High School. The Metro School Board has not identified any of these



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schools as being over crowded for the current school year.

CONDITIONS

If a council bill is filed, it should include the following conditions to be completed or bonded prior to the recording of any final subdivision plat.

1. Upgrade Charlotte Pike to Major Street Plan standards (currently U4) from Cabot Drive to the western property frontage of parcel 17 on tax map 102.
2. Widen Cabot Drive to collector street standards (37 feet of pavement) from the Charlotte Pike intersection to the driveway entrance on Cabot Drive, including a left-turn lane.
3. Developer needs to verify adequate sight distance from any proposed access point or provide remedies to obtain adequate sight distance.
4. The proposed signal at Charlotte Pike and Cabot Drive needs to be operational before the final subdivision plat is recorded.



Project No.
Council Bill
Associated Cases

Zone Change 2002Z-110G-14

None
PUD Proposal 2003P-003G-14
(Tulip Grove Townhomes)

Staff Reviewer

Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 17.41 acres from residential (R10) to multi-family residential (RM6) at 735 Tulip Grove Road.

Existing Zoning
R10 Zoning

R10 zoning is intended for single-family homes and duplexes at 3.7 units per acre. Current zoning would permit 64 residential lots.

Proposed Zoning
RM6 Zoning

RM6 zoning is intended for multi-family uses allowing up to six units per acre. Proposed zoning would allow 104 units. However, the proposed PUD limits this property to 80 units.

SUBAREA 14 PLAN POLICY
Natural Conservation (NC)

Specific criteria are set out in the *Land Use Policy Application* document for applying the NC policy and its range of densities to individual sites, based on their unique conditions.

“Some areas of NC policy are suitable for more intensive development, at up to four dwelling units per acre (Residential Low Medium policy). These are lands that abut more intensively developed area(s), where slopes are less than 20%, there is little or no floodplain, and urban services and facilities, including streets are available. Other areas of NC policy should be limited to very low-density residential development that is rural in character. These are lands isolated from urban/suburban areas, where there are steep slopes, floodplains, and a lack of urban services and facilities, including roads. The more environmentally sensitive and remote a site is, the lower the acceptable density.”

The NC policy area within this site, which is approximately 9.7 acres of the total 17.41 acres, applies to the floodplain along Stoner Creek east of Andrew Jackson Parkway. Development of any part of this NC area that is approved for alteration and removal from the floodplain should be guided by the adjoining RLM policy.



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Residential Low Medium (RLM)

This RLM policy, which makes up approximately 7.7 acres of the total 17.41 acres, is directly adjacent to the NC portion of the property that runs along Stoner Creek. The Subarea 14 Plan states that development within this area should be guided by the standard policies. RLM is a policy category designed to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type in RLM areas is single-family residential, although some townhomes and other forms of attached housing may be appropriate. Lastly, development at the upper end of the density range is recommended at locations along and in the vicinity of arterial and collector streets.

Policy Conflict

None. The applicant is proposing a Residential Planned Unit Development in conjunction with this requested zone change. The PUD plan proposes townhomes that are primarily clustered on the upland portion of the site – the portion located within the RLM policy area. This plan complies with the Zoning Code requirement for PUD’s that two-thirds of the natural floodplain and all of the natural floodway remain in a predevelopment state.

The PUD plan proposes only 80 townhome units at a density of 4.25 units per acre. Staff recommends approval of this proposal because any requested increase in the density, in the future, would require approval by the Metro Council. In addition, the plan places development on the upland portion of the property, while a single-family or duplex lot subdivision would be allowed to develop up to 50% of the floodplain.

TRAFFIC IMPACTS

Traffic Engineer’s Findings

No exception taken

SCHOOLS

Students Generated

9 Elementary 6 Middle 4 High

Schools Over/Under Capacity

The Metro School Board has identified Dupont-Tyler Middle School as being over capacity at this time. They are currently using ten portable classrooms.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 2003P-003G-14
Tulip Grove Townhomes Residential PUD
None
2002Z-110G-14
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary PUD Revised Preliminary Revised Preliminary & Final PUD
 Final PUD Amend PUD Cancel PUD

Request for a preliminary Planned Unit Development to allow for the development of 80 attached townhomes on a 17.41-acre site. The property is located at 735 Tulip Grove Road in Hermitage.

P.U.D. PERFORMANCE STANDARDS & PROVISIONS

Section 17.36.050(A)

If encompassing environmentally sensitive areas, as defined by Chapter 17.28 of the Zoning Ordinance, approval of a PUD Master Development Plan shall be based upon a finding that the proposed development plan will result in greater protection and preservation of those areas than otherwise would result from development at the minimum protection standards of a conventional subdivision.

The proposed plan does a better job than a conventional subdivision of preserving the environmentally sensitive areas of floodway and floodplain. The residential PUD standards require that all floodway and a minimum of two-thirds of floodplain be recorded as common open space and remain in a predevelopment state in perpetuity. If the site were developed as single-family or duplex lots, the developer would have the ability to manipulate up to 50% of the floodplain area.

PLAN DETAILS

The applicant's plan proposes an 80-unit townhome development where the majority of the development is located on the upland portion of the site. Ingress and egress to the site will be provided via direct access off Tulip Grove Road. Approximately 3.5 acres of the floodway and floodplain area are to be dedicated as a Conservation and Greenway easement in order to



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implement the Metro Parks Department's Master Greenways Plan for the Stones River.

TRAFFIC ENGINEER'S FINDINGS

Metro Public Works' Traffic Engineer provided one off-site roadway improvement and one on-site roadway improvement, which is outlined below in the staff conditions.

The applicant is proposing a new sidewalk along Tulip Grove Road in accordance with current Metro Public Works design standards. In addition, and in conjunction with the new public sidewalk, the applicant will widen Tulip Grove Road along the property frontage to meet the current roadway designation of U4 (Urban 4-lane Arterial).

CONDITIONS

1. Prior to final PUD approval, a southbound left-turn lane must be provided within Tulip Grove Road fronting the subject site.
2. Prior to final PUD approval, the private access drive for the townhouse development must align with Scotts Creek Parkway.
3. Prior to the final PUD approval, the location and size of the Dedicated Conservation/Greenway Public Access Trail Easement Area shall be approved by Metro Parks if there is to be any variance from the requirement of a conservation easement including the floodway plus a corridor of 75-feet measured from the outside edge of the floodway.
4. A final plat needs to be recorded prior to the issuance of any building permits.
5. Pursuant to comments by Metro Water Services Department, final determination of floodway and floodplain lines must be made prior to approval of any final PUD plans. Upon final determination of floodway and floodplain lines, all of the designated floodway and a minimum of two-thirds of the designated floodplain must be maintained in a predevelopment state.
6. Prior to the issuance of any permits, the Stormwater Management Section of Metropolitan Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works shall



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forward confirmation of preliminary approval of this proposal to the Planning Department.

7. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-015G-06
None
None
Hardison

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Rezone 31.5 acres from Agricultural Residential (AR2a) to Residential Single-Family (RS15) at 8840 Highway 70.

Existing Zoning
AR2a zoning

AR2a zoning permits one dwelling unit per two acres. It is intended for uses that generally occur in rural areas.

Proposed Zoning
RS15 zoning

RS15 zoning is intended for single-family homes at 2.47 units per acre.

SUBAREA 6 PLAN POLICY
Natural Conservation (NC)

This property is located in an NC policy area in the current Subarea 6 Plan.

Specific criteria are set out in the *Land Use Policy Application* document for applying the NC policy and its range of densities to individual sites, based on their unique conditions.

1. Areas of NC policy should be limited to very low-density residential development that is rural in character. These generally are lands isolated from urban/suburban areas, where there are steep slopes, floodplains, and a lack of urban services and facilities, including roads. The more environmentally sensitive and remote a site is, the lower the acceptable density.
2. Some areas of NC policy are suitable for more intensive development, at up to four dwelling units per acre (Residential Low/Medium policy). These are lands that abut more intensively developed area(s), where slopes are less than 20%, there is little or no floodplain, and urban services and facilities, including streets are available.
3. Specific residential densities in NC areas should be determined by physical site characteristics and the availability of services, particularly sewers.



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4. Steeply sloping areas interspersed with narrow ridges and slightly wider valleys along streams are suitable only for very low intensity development. Valleys and accessible ridge areas may be suitable for residential development of up to four units per acre, but only if access can be accomplished without major grading and removal of native vegetation.
5. Greenway plans affect this area and should be taken into account as part of the review of any development proposals involving sites in this area.

Policy Conflict

The proposed rezoning conflicts with the following policy directives for this area:

1. Pursuant to items 1 and 2 above, the subject site is encumbered by floodway and floodplain. Approximately 28% of the property is encumbered by floodplain.
2. The rezoning site falls in the middle of an NC policy area as opposed to falling along its boundary; it is environmentally constrained, and rural in character. The site's characteristics prescribe very low-density residential development according to the application guidelines of the Natural Conservation policy.

Staff Recommendation

Although this property is encumbered by floodplain and also in the middle of the NC policy, staff supports the proposed zone change since the density of the RS15 district is below the acceptable 4 units per acre. Also the applicant has agreed to the condition of placing a conservation easement over the portion of the property that is encumbered by floodplain. With the conservation easement in place the applicant will not be able to develop any portion of the floodplain.

Bellevue Community Planning Process

This rezoning application was filed during the recent Subarea 6 Plan amendment process. Although the new Subarea 6 Plan was adopted by the Commission on February 13, 2003, the policies in that new plan has not been applied to this rezoning request. Staff believes, however, it is important to note that the Bellevue community has expressed a number of concerns regarding development within the Natural Conservation (NC) policy area. During the 2002 Subarea 6 Plan Amendment process, neighbors concluded that it was appropriate to maintain the current NC land use policy.



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Staff recommendations, however, are based upon the pre-February 13, 2003 Subarea 6 Plan.

RECENT REZONINGS

None

TRAFFIC

With RS15 zoning the applicant would be allowed to construct 78 single-family dwellings. The proposed 78 units would generate approximately 746 trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

The submitted TIS was sufficient for the requested zone change. A more detailed TIS will be required when a plan of development is submitted to the Planning Commission. The scope of that TIS is to be determined prior to submission of the development plan with the Public Works Department.

SCHOOLS**Students Generated**

10 Elementary 8 Middle 6 High

Schools Over/Under Capacity

Students will attend Gower Elementary School, H.G. Hill Middle School, and Hillwood High School. Gower Elementary School, H.G. Hill Middle School, and Hillwood High School have not been identified as being overcrowded by the Metro School Board.

CONDITIONS

1. A more detailed TIS will be required with the submission of a development plan to the Metro Planning Commission. The scope of the TIS is to be determined by Metro Planning Department and the Public Works Department.
2. Prior to the recordation of any final plat for this property the property owner must record a Conservation Easement over all portions of the property within the floodway or floodplain.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2002Z-028U-12
None
None
Hardison

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 8.6 acres from Residential Single-Family (RS10) to Residential Multi-Family (RM9) at Northcrest Drive (unnumbered).

Existing Zoning
RS10 zoning

RS10 zoning is intended for single-family dwellings at 3.7 units per acre.

Proposed Zoning
RM9 zoning

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

SUBAREA 12 PLAN POLICY

Residential Low Medium (RLM)

RLM policy is intended for 2 to 4 dwelling units per acre.

Commercial Arterial Existing (CAE)

CAE policy is intended for commercial development such as retail, office and some higher density residential, where locational criteria for higher density residential can be met, along arterial streets.

Policy Conflict

None. The proposed RM9 district is at the low end of the medium high residential density range which is consistent with the CAE policy. The RM9 district is higher than the RLM policy, but this property will serve as a transition between the residential and commercial areas. Staff recommends that neither multi-family nor commercial zoning extend further than this property into the existing residential area.

RECENT REZONINGS

None

TRAFFIC

With RM9 zoning the applicant would be allowed to construct 77 multi-family dwellings. The proposed 77 units would generate approximately 511 trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.



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Traffic Engineer's Findings

No exception taken

SCHOOLS

Students Generated

6 Elementary

4 Middle

3 High

Schools Over/Under Capacity

Students will attend Tusculum Elementary School, McMurray Middle School, and Overton High School. Tusculum Elementary, McMurray Middle, and Overton High have been identified as being overcrowded by the Metro School Board.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-030G-13
None
None
Hardison

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Rezone 238.97 acres from Residential Single-Family (RS15), Residential (R15), Agricultural/Residential (AR2a), and Commercial Services (CS) to Residential Single-Family (RS10), Residential Single-Family (RS7.5), Residential Multi-Family (RM15), and Mixed-Use Limited (MUL) at 12786 Old Hickory Boulevard, Route 2 Murfreesboro Pike, Murfreesboro Pike (unnumbered), and Hobson Pike (unnumbered).

Existing Zoning

AR2a Zoning

AR2a zoning is permits one dwelling unit per two acres.

RS15 Zoning

RS15 zoning is intended for single-family homes at 2.47 units per acre.

R15 Zoning

R15 zoning is intended for single-family homes and duplexes at 2.47 units per acre.

CS Zoning

CS zoning is intended for a wide range of commercial service related uses, including low-intensity manufacturing, retail, office uses.

Proposed Zoning

RS10 Zoning

RS10 zoning is intended for single-family homes at 3.7 units per acre

RS7.5 Zoning

RS7.5 zoning is intended for single-family homes at 4.94 units per acre.

RM15 Zoning

RM15 zoning is intended for 15 multi-family dwelling units per acre.

MUL Zoning

MUL zoning is intended for a medium-intensity mixture of residential, retail, and office uses.



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SUBAREA 13 PLAN POLICY

Corridor Center (CC)

CC policy is intended for commercial development such as retail, office and some higher density residential uses along arterial streets.

Residential Medium High (RMH)

RMH policy calls for residential development at 9 to 20 dwelling units per acre.

Residential Medium (RM)

RM policy calls for residential development at 4 to 9 dwelling units per acre.

Policy Conflict

None. The proposed MUL zoning is consistent with the CC policy. The RS10, RS7.5 and RM15 districts are consistent with the intent of the RM and RMH policy areas.

This area of the Subarea 13 Plan is currently being updated. Staff met with applicant to try to bring this request in line with the direction of the draft Subarea 13 Plan. The applicant has made changes to their original request in an attempt to incorporate the intent of the future plan with this proposed rezoning. The update to the Subarea 13 Plan calls for a mixture of housing types as well as community scale retail uses. The applicant's request not only incorporates the intent of the future plan, but it also is consistent with the current subarea plan.

Property Constraints

TVA and Gas Line Easement

There is an existing 400-foot TVA and gas line easement on the properties that runs from the boundary on Murfreesboro Pike to the CSX Transportation Railroad. Any preliminary or final plat for the development on this property will be restricted in the area of the easement.

Southeast Arterial

The proposed southeast arterial is planned to start at the intersection of Murfreesboro Pike and Old Hickory Boulevard. The applicant will be required either to reserve or dedicate the right-of-way for the road with the submission of any final plat.

Floodplain or Topographical Concerns

These properties are not encumbered by floodplain or severe topographical conditions.

RECENT REZONINGS

None



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TRAFFIC

Traffic counts for this rezoning as identified in the applicant's TIS show the single-family homes generating approximately 3,032 daily trips, the multi-family homes generating approximately 4,186 daily trips, and the retail uses generating approximately 17,302 daily trips for a total of approximately 24,520 daily trips created by this zone change.

Traffic Engineers Comments

Since this zone change and the cancellation of PUD will reduce the amount of potential traffic for these properties, the submitted TIS was sufficient for the requested zone change. A more detailed TIS will be required when a plan of development is submitted to the Planning Commission. The scope of that TIS is to be determined prior to submission of the development plan with the Public Works Department.

SCHOOLS

Students Generated

RS10 Zoning

39 Elementary 28 Middle 23 High

RS7.5 Zoning

85 Elementary 61 Middle 50 High

RM15 Zoning

41 Elementary 28 Middle 23 High

Total without MUL Zoning

165 Elementary 117 Middle 96 High

MUL Zoning*

170 Elementary 118 Middle 97 High

Total without MUL Zoning

335 Elementary 235 Middle 193 High

Schools Over/Under Capacity

Students will attend Maxwell Elementary School, Antioch Middle School, and Antioch High School. Maxwell Elementary, Antioch Middle, and Antioch High have been identified as being overcrowded by the Metro School Board.

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

CONDITIONS

1. No final plat for development on the site shall be approved until a school site, in compliance with the standards of Section 17.16.040 for elementary



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schools with a capacity of 500 students, shall be offered for dedication to the Metro Board of Education, the offer of such school site being proportional to the development's student generation potential.

2. A more detailed TIS will be required with the submission of a development plan to the Metro Planning Commission. The scope of the TIS is to be determined by Metro Planning Department and the Public Works Department.
3. With the recording of a final plat the applicant will be required either to dedicate or reserve right-of-way for the proposed Southeast Arterial.



Project No.	Planned Unit Development 62-72-G-13
Project Name	Hobson Center Commercial
Council Bill	None
Associated Cases	2003Z-030G-13
Staff Reviewer	Hardison
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Preliminary PUD Revised Preliminary Revised Preliminary & Final PUD
 Final PUD Amend PUD Cancel PUD

Existing Zoning	Cancellation of existing PUD
AR2a Zoning	AR2a zoning is permits one dwelling unit per two acres.
RS15 Zoning	RS15 zoning is intended for single-family homes at 2.47 units per acre.
R15 Zoning	R15 zoning is intended for single-family homes and duplexes at 2.47 units per acre.
CS Zoning	CS zoning is intended for a wide range of commercial service related uses, including low-intensity manufacturing, retail, office uses.

CANCELLATION DETAILS

This PUD was approved February 8, 1990 for 498,345 sq. ft. of office uses, 418,530 sq. ft. of retail uses, and 34,725 sq. ft. of restaurant uses.

With cancellation of this PUD the applicant is requesting rezoning for the majority of the property within this PUD. The requested zone changes are reviewed in the staff report for 2003Z-030G-13.

TRAFFIC

Traffic counts are not required for a PUD cancellation. Traffic with respect to the proposed rezoning is located in the traffic section of the staff report for case 2003Z-030G-13.

Traffic Engineer's Findings

No exception taken



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-032G-14
None
None
Hardison

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 4.25 acres from Residential (R10) to Commercial Limited (CL) at 305, 309, 315 Old Lebanon Dirt Road.

Existing Zoning
R10 zoning

R10 zoning is intended for single-family homes and duplexes at two to four units per acre.

Proposed Zoning
CL zoning

CL zoning is intended for retail, consumer service, financial, restaurant, and office uses.

SUBAREA 14 PLAN POLICY

Commercial Arterial Existing (CAE)

CAE policy recognizes existing areas of commercial development such as retail, office and some higher density residential uses (where locational criteria can be met) along arterial streets.

Policy Conflict

None. The proposed CL district is appropriate for the CAE policy area. Staff recommends that neither multi-family nor commercial zoning extend further east on Old Lebanon Dirt Road than this property into the existing residential policy area.

RECENT REZONINGS

None

TRAFFIC

Based on typical uses in CL districts this proposed zoning would generate approximately 1,728 to 5,539 vehicle trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

No Exception Taken



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-033U-14
None
None
Hardison

Staff Recommendation

Disapprove

APPLICANT REQUEST

Rezone 1.83 acres from Residential (R10) to Commercial Limited (CL) at 312 Donelson Pike and Seneca Drive (unnumbered).

Existing Zoning
R10 zoning

R10 zoning is intended for single-family homes and duplexes on 10,000 square feet.

Proposed Zoning
CL zoning

CL zoning is intended for retail, consumer service, financial, restaurant, and office uses.

SUBAREA 14 PLAN POLICY

Commercial Arterial Existing (CAE)

CAE policy recognizes existing areas of commercial development such as retail, office and some higher density residential uses (where locational criteria can be met) along arterial streets.

Commercial Mixed Concentration (CMC)

CMC policy is intended for major concentrations of retail, offices, and medium density residential.

Policy Conflict

Although this property is located between two commercial policy areas, at the rear of these properties is a stable residential area. CMC policy areas are usually limited to properties with frontage on arterial streets. Parcel 54 of this proposal has frontage on Donelson Pike, but the parcel also has frontage within the residential area. Staff could recommend rezoning parcel 54 from its frontage on Donelson Pike to the rear parcel line for parcel 38. The rear portion of parcel 54 and all of parcel 38 should remain R10.

Staff recommends disapproval since this rezoning would set a precedent by allowing commercial zoning in a residential area, and allowing commercial traffic on to Seneca Drive.

RECENT REZONINGS

None



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TRAFFIC

Based on typical uses in CL districts this proposed zoning would generate approximately 1,728 to 5,539 vehicle trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

No Exception Taken.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-034U-13
 None
 None
 Hardison

Staff Recommendation *Approve*

APPLICANT REQUEST

Rezone 17.76 acres from Agricultural/Residential (AR2a) to Residential Single-Family (RS10) at 3276 Hamilton Church Road and Hamilton Church Road (unnumbered).

Existing Zoning
 AR2a zoning

AR2a zoning permits one dwelling unit per two acres. It is intended for uses that generally occur in rural areas.

Proposed Zoning
 RS10 zoning

RS10 zoning is intended for single-family homes at 3.7 units per acre.

SUBAREA 13 PLAN POLICY

Residential Low Medium (RLM)

RLM policy calls for two to four dwelling units per acre.

Policy Conflict

None. The RS10 district allows for 3.7 dwelling units per acre, which is consistent with the intent of the RLM policy. The desired zoning pattern in this area is RS10.

RECENT REZONINGS

MPC recommended approval of rezoning parcels 123 and 124 from AR2a to RS10 on 11/9/00 (2000Z-143U-13). Metro Council approved the rezoning on 1/27/03 (BL2000-542).

TRAFFIC

The proposed zone change would permit a total of 65 dwelling units. This number of units would create approximately 622 vehicle trips per day. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

Approve

SCHOOLS

Students Generated

6 Elementary 4 Middle 3 High School



Metro Planning Commission Meeting of 3/13/03

Schools Over/Under Capacity

Students will attend Tusculum Elementary School, McMurray Middle School, and Overton High School. Tusculum Elementary, McMurray Middle, and Overton High have been identified as being overcrowded by the Metro School Board.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2003Z-035U-05
None
None
Leeman

Staff Recommendation

Approve

APPLICANT REQUEST

Expand the existing Neighborhood Conservation Overlay District (NCOD) to various properties between S 10th Street and S 14th Street and along Shelby Avenue, Lillian Street, Boscobal Street, Fatherland Street, Russell Street and Clearview Avenue.

Proposed Zoning Overlay
Neighborhood Conservation
Overlay District (NCOD)

The NCOD is intended to protect the historical value of buildings, structures, and areas. To accomplish this intent, the Metropolitan Historic Zoning Commission (MHZC) is required to issue a preservation permit prior to any demolition, new construction, or additions based on compliance with the district’s design guidelines. However, alterations to existing buildings would not require review by the MHZC.

SUBAREA 5 PLAN POLICY
Commercial Arterial Existing
(CAE)

CAE policy is intended for limited application to established and committed areas of primarily commercial development in a linear pattern along arterial streets. Predominant uses in CAE are retail, office and some higher density residential.

Residential Medium (RM)

RM policy is intended for residential development at 4 to 9 dwelling units per acre.

Mixed Use (MU)

MU policy is intended for a mixture of uses such as office, residential, and commercial uses.

Policy Conflict

None. Staff recommends approval since the NCOD is consistent with the Subarea 5 Plan’s Residential Medium (RM), Commercial Arterial Existing (CAE), and Mixed Use (MU) policies, while the Neighborhood Conservation Overlay will serve to protect and enhance the neighborhood character.

METRO HISTORIC ZONING



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COMMISSION

The Metropolitan Historic Zoning Commission (MHZC) held a public hearing on February 19, 2003 and approved the design guidelines for the Lockeland Springs—East End Neighborhood Conservation Overlay as outlined in Section 17.40.410 of the Zoning Code. Additionally, the MHZC voted to recommend approval of the proposed expansion of the district boundaries as shown on the proposed map. The MHZC found that the proposed district meets the criteria for designation as outlined in Section 17.36.120 of the Zoning Code, which reads as follows:

A. Historic Preservation and Neighborhood Conservation Districts. These districts are defined as geographical areas which possess a significant concentration, linkage or continuity of sites, buildings, structures or objects which are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

1. The district is associated with an event that has made a significant contribution to local, state or national history; or
2. It includes structures associated with the lives of persons significant in local, state or national history; or
3. It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

RECENT REZONINGS

None

TRAFFIC

The proposed overlay does not change the allowable uses and will not increase or decrease traffic.

Metro Traffic Engineer's Findings

No exception taken



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SCHOOLS

There will be no change to school populations as a result of this overlay.



Project No.
Project Name
Associated Cases
Deferral

Subdivision 2002S-229G-14
Windstar Estates

None
Deferred by the Planning Commission on January 23, 2003 because this plat contains more than 50% floodplain and the Planning Commission planned to discuss a floodplain development moratorium, at the February 13, 2003, Planning Commission meeting. The applicant further deferred this application on February 13, 2003, in order to address staff comments.

Staff Reviewer

Scott

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary Plat Revision

Preliminary & Final Plat Final Plat

Revise a preliminary plat to subdivide 73.03 acres into 84-lot cluster lot subdivision, at a proposed density of 0.74 dwelling units per acre at Warren Drive and Keeton Avenue.

ZONING

R10 zoning

The R10 district requires a minimum lot size of 10,000 square feet.

R15 zoning

The R15 district requires a minimum lot size of 15,000 square feet.

REVISION DETAILS

The previous preliminary plat was approved with conditions October 10, 2002. It included map 43, part of parcels 7 and 8. This plat is revised to include all of map 43, parcels 7 and 8. A 7.03 acre borrow pit on the northern property line is included on the plat, which will provide the fill dirt to raise the elevation of the lots and roadways out of the floodplain. The majority of the open space is now located in the western section of the subdivision to include all of the floodway and floodway buffer. An additional 25' is provided for greenway dedication in the open space area. Also, the open space is adjusted to include a strip along the southern boundary of the property from lot 51 through lot 58.

Floodplain

The majority of this property lies within the floodplain of the Cumberland River. The cluster lot option allows



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the clustering of lots within the manipulated areas of the natural floodplain with the condition that at least, "one-half of the natural floodplain area including all of the floodway area shall be dedicated as common open space and maintained in a natural state, with the clearing of trees and brush exceeding eight inches in diameter prohibited" (17.28.040A2).

The revised subdivision dedicates one-half of the natural floodplain area, "except where required for the installation of streets and utilities," (Metro Zoning Code 17.28.040 A.) as common open space, and labels the open space as "to be maintained in a natural state."

Staff has concerns about the applicant's ability to preserve the designated open space in a natural state while also raising the building lots above flood levels and effectively draining stormwater off the property. The plat technically complies with Metro regulations, however, because it shows, on its face, the required open space and stormwater conveyances.

CONDITIONS

1. No clearing, grubbing or grading, or other Metro permits will be issued until final plat approval.
2. All grading and engineering plans relating to site development will be approved by the Stormwater Division based on care taken to minimize environmental disturbance and to prevent increased stormwater runoff onto adjacent properties.
3. The final plat shall demonstrate that at least one-half of the natural floodplain is designated as common open space and maintained in a natural state.
4. Warren drive and Keeton Avenue along the property's frontage must be bonded for or upgraded to Public Works standards for a local street containing 50 feet of right-of-way prior to final plat recordation.
5. A bond is required for the extension of roads, sidewalks, and public utilities prior to final plat recordation.
6. Within or near the easement area, label on the plat, "Dedicated Conservation/Greenway Public Access Trail Easement Area. Except as authorized by approved construction plans, no grading, cutting of



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trees, or disturbance of natural features shall be performed within this easement”.

7. Any deviation from the preliminary plat will require the filing of a new preliminary plat.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-055U-10
McArthur's Court
None
Fuller

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide 7.48 acres, located on the west margin of Granny White Pike, approximately 330 feet south of Harding Place, into 6 lots.

ZONING

R40 Zoning

R40 zoning requires a minimum lot size of 40,000 square feet. Lots sizes range from 40,216 square feet to 49,920 square feet. The existing residence on the property is to remain.

SUBDIVISION DETAILS

The Homeowner's Association will be responsible for the maintenance of any landscaping located within the Metro right-of-way.

TRAFFIC ENGINEER'S FINDINGS

No exceptions taken.

CONDITIONS

1. Prior to the recording of the final plat an agreement will need to be executed with the Public Works Department concerning the maintenance of the landscaping in the right-of-way.
2. Performance bonds must be posted to secure the satisfactory construction of public improvements prior to the recording of the final plat.



Project No.
Project Name
Associated Cases
Deferral

Subdivision 2003S-043G-06
Jeff Amann Subdivision

None
Deferred from the 2/27/03 agenda for Metro Legal staff to research potential liability for approval of lots on a substandard private road.

Staff Reviewer

Fuller

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary Plat

Preliminary & Final Plat

Final Plat

A request to convert one parcel into one buildable lot.

ZONING

AR2a requiring a minimum lot size of 2 acres.

SUBAREA 6 POLICY

Natural Conservation (NC)

This parcel falls within the Subarea 6 Policy's Natural Conservation (NC) policy.

CODES DEPARTMENT/HEALTH DEPARTMENT MEMO

On October 21, 2001, Sonny West, Zoning Administrator signed a Health Department form indicating that a subdivision plat would not be necessary for this site. He further indicated that the parcel was to be served by a well or a private water line in an easement off Poplar Creek Road. This approval is voided because of the public water main that was run through the ingress/egress easement. This situation requires a subdivision plat. (See exhibit following this report).

SUBDIVISION DETAILS

This parcel of land is one of 21 parcels created by deed in 1995. The access for these 21 parcels of land is the extension of an existing private ingress-egress easement from Poplar Creek Road. With the addition of these 21 parcels, there are now approximately 28 parcels that use at least a small portion of this access easement as their sole access from Poplar Creek Road.

Although it is legal to create parcels of land five acres and greater by deed (Subdivision Regulation 3-8.7.A), it does not automatically make them "buildable" lots. If a parcel accesses utilities from a public right-of-way, a



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subdivision plat is not required. This parcel will obtain water and electric service from common lines that run through the private easement and thus a subdivision plat is required.

Accordingly, the Subdivision Regulation standards for a private street are applicable to creating buildable lots off of this private ingress-egress easement. Private streets are permitted in the natural conservation land use policy, where lots are proposed to be five acres and greater, with certain conditions. Currently this private ingress-egress easement is a gravel base.

SUBDIVISION VARIANCES

Private Streets (Section 2-6.2.1 K.4)

This section of the regulations states than no more than 10 lots may be served by a private street or network of streets. If a private street serves six or more lots it is required to be paved with an eight-inch rock base with an asphalt surface or other durable surface.

A joint maintenance agreement is also required that provides each owner is jointly liable for the maintenance of the private street and that each owner can enforce contributions to offset the cost of that maintenance, based on proportionality on the units served by the private street. A joint use agreement was recorded in 1997 for all of the properties using the easement, but it did not address maintenance.

There are currently 12 permitted houses served by the substandard drive located within the private ingress-egress easement. Approval of this subdivision plat would create the thirteenth lot within the entire network. However, this lot would be the 9th lot from Poplar Creek Road.

In 1998, the Council adopted Section 13.10.010 of the Code, which requires private roads to receive Public Works approval as meeting several criteria before they can be accepted as public roads. The criteria include minimum 50-feet of right-of-way, a level pavement base 22-feet in width with six inches of compacted gravel, and the road must serve a minimum of six and maximum of 20 residences. In addition, the ordinance requires that the road must have been "in existence and its location must be on file in the office of the director of public works as of the effective date of the



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Public Works Recommendation

ordinance." It does not appear that the private access easement on this property meets the ordinance's requirements for acceptance as a public road.

This parcel and the adjacent parcels are accessed by a private ingress-egress easement that has a gravel surface. The gravel easement does not meet Metro standards for a private road. It is likely that in the future, the users of this private ingress-egress easement will request Metro to accept dedication of the easement and its improvements. This could place a future burden on the existing homeowners and Metro, therefore, Public Works recommends disapproval as submitted, or adding a condition of approval to achieve compliance with the private roadway standards.

Similar Case

In 1995, the Planning Commission approved a similar subdivision named Fox Hollow Farms (located just west of Old Harding Road on Hwy. 96). Although similar, the Fox Hollow Farms Subdivision had a development entity involved. All of the roadways were approved to be constructed with an eight inch base, a two inch binder and an inch and a half topping (twenty-three feet wide). Restrictive covenants were recorded and a homeowners association established to deal with the future maintenance of the road.

Liability Implications

Metro Legal has stated that liability issues may be raised if a variance is granted to allow a street that does not comply with the Subdivision Regulations or another generally accepted street standard. The street standards are based, in part, on levels of safety and can not easily be waived.

Future Requests

Future applications using this shared access easement will be required to upgrade the road to an approved standard for the number of lots that will be served by the road at that location, as required by section 2-6.2.1 K (4). This may involve upgrading the road to public street standards. Future applicants may also be required to join into a joint maintenance agreement with this applicant and any others who follow.

CONDITIONS

1. Staff recommends that, as a condition for approval of the requested buildable lot, the applicant be required to upgrade the existing street to the standard set forth in section 2-6.2.1 K (4) (f) of the



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Subdivision Regulations for a private road serving more than six lots or less than 10, or other such standard approved by Public Works. This standard is applied because this is the 9th lot from Poplar Creek Road. This requires that the road be paved with an eight-inch rock base with an asphalt surface or other durable surface and be twenty-three feet in width. This improvement will be required from Poplar Creek Road to the point where the main shared access easement intersects with the access drive serving this property (a point approximately 1,450 feet north of Poplar Springs Road).

2. A joint access maintenance agreement will be prepared and signed by the applicant and to be recorded when the next parcel on this joint access easement records a subdivision plat. All future applicants for buildable lots using the private road will be required to sign this joint maintenance agreement.
3. Metro Health Department approval must be indicated on the plat for septic systems prior to recording of the plat.



Project No. 2003S-056U-05
Project Name Country Club Estates
Associated Cases None
Staff Reviewer Scott

Staff Recommendation *Approve subject to a sidewalk variance and a variance for frontage and lot size on both lots.*

APPLICANT REQUEST

Preliminary Plat

Preliminary & Final Plat Final Plat

Subdivide 1 lot into a 2 lots with variances for sidewalks, lot frontage and lot size, at a proposed density of 4.23 dwelling units per acre, on 0.40 acres.

ZONING

RS7.5 Zoning

RS7.5 district requires a minimum lot size of 7,500 square feet.

SUBDIVISION DETAILS

This subdivision is in keeping with the current development patterns in this area. This subdivision is located in an area that has many 50' wide lots.

SUBDIVISION VARIANCES

Lot Comparability (Sec. 2-4.7)

The lot comparability study for the proposed subdivision finds that these lots fail the minimum lot width requirement. The comparability test, which takes into account the lot frontage on lots within 300 feet of the subject lot, would require that each lot provide not less than 68 feet of lot frontage.

Regarding minimum lot size under the lot comparability test, the lots also fail the comparability test for lot size by not providing a minimum lot size of 10,069 square feet.

Sidewalks (Sec. 2-6.1)

The subdivision regulations require a 5-foot wide public sidewalk and a 4-foot wide grass strip along the frontage of the residential properties. A sidewalk variance is required for lot 2. The applicant has requested a sidewalk variance due to the absence of sidewalks along McAlpine Avenue and the amount of roadwork that would be required to meet Metro Public Works sidewalk construction standards.



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Metro Public Works Findings

McAlpine Avenue has a pavement width of approximately 20.5 feet with grassy swale on both sides of pavement edge. In order for sidewalks to be constructed the road will have to be widened to 23 feet, one or more utility poles may have to be relocated, and curb and gutter will have to be constructed. Sidewalk cannot be extended on the adjacent property (southeast) because of an existing stone retaining wall.

Staff Recommendation

Approve the sidewalk and lot comparability variances. A section of sidewalk approximately 50 feet in length will require major reconstruction of the roadway by widening and construction of the curb and gutter system for a relatively short section of sidewalk in a midblock location, which is inconsistent with good planning and design. Further, although the lots fail comparability, there are several lots on McAlpine and in the general vicinity that are comparable to the proposed lots.

TRAFFIC ENGINEER'S FINDINGS

No exception taken



Project No. 2002P-005U-10
Project Name Glen Echo Hall
Council Bill None
Associated Cases None
Staff Reviewer Leeman

Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

Preliminary PUD Revised Preliminary Revised Preliminary & Final PUD
 Final PUD Amend PUD Cancel PUD

Request for final PUD approval for 4 duplex lots with a total of 8 dwelling units on 2.06 acres.

Existing Zoning
R10 Zoning

R10 district is intended for single-family and duplex residential with minimum lot sizes of 10,000 square feet. R10 allows a maximum density of 3.7 dwelling units per acre.

PUD Plan

Planned Unit Development's allow 100% duplexes, while a regular subdivision only allows 25% of the proposed lots to have duplexes. The Preliminary PUD plan was approved by the Planning Commission in November 2002, while the Metro Council approved the PUD in January 2003.

PLAN DESIGN

The proposed plan includes 4 lots with duplexes on each lot. At the preliminary PUD stage, the applicant worked with staff to redesign the plan to take a more comprehensive approach to the overall redevelopment of this transitioning area, including reorienting the duplex along Glen Echo to face the road, providing a different housing type for rear-loaded garages, and moving the new road to the west to allow the adjacent property to access the new road, if developed in the future.

This proposal incorporates good planning principles for infill development in that it is designed to blend in with the existing neighborhood character in terms of building orientation, unit type, and density.



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Staff has discussed with the applicant the need to look at the redevelopment of the entire block from the subject property to Hillmont Drive, including an undeveloped 4-lot subdivision directly to the west. This 4-lot subdivision was approved in 1980, with a cul-de-sac similar to what is being proposed again today. The final PUD provides the opportunity for the adjacent property to access this road.

TRAFFIC

While Glen Echo Road is currently classified as a local road on the Major Street Plan, there is a strong likelihood that this could change to a collector street when the Major Street Plan is updated.



Project No.	Planned Unit Development 163-73-G-06
Project Name	Bellevue Place PUD – Jonathan’s Grille
Council Bill	None
Associated Case	None
Staff Reviewer	Mitchell
 Staff Recommendation	 <i>Approve</i>

APPLICANT REQUEST

Preliminary PUD Revised Preliminary Variance within a PUD
 Final PUD Amend PUD Cancel PUD

Request for a variance to Section 17.24.150 (Perimeter Screening Requirements) of the Zoning Ordinance to allow the existing *Jonathan’s Grille* restaurant to operate without meeting the perimeter landscaping requirement along Highway 70S.

PROPOSAL DETAILS

Since this variance request is located within a Planned Unit Development district, the Planning Commission will make a recommendation to the Board of Zoning Appeals (BZA). The BZA has jurisdiction over zoning variance requests.

The applicant is requesting approval of a variance to Sec. 17.24.150, which – in this case – requires a ten-foot (10’) perimeter landscape strip adjacent to a public street with four or more travel lanes, unless: (a) the strip includes a permanent finished wall no less than 30 inches in height; or (b) the required trees are planted in islands between the parking spaces; where in such cases, the perimeter landscape strip may be reduced to five feet (5’) in width. The applicant currently provides a nine-foot (9’) landscape strip with six street trees.

Based upon the fact that the building and landscaping exist, as of the date of this variance application, staff does not support the removal of any street trees for a 30-inch finished wall and believes that the installation of six street trees within a nine-foot (9’) perimeter landscape strip sufficiently meets the intent of the perimeter landscape standards.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 151-82-G-06
Harpeth Springs PUD–Tract 2 Office Condo
None
None
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary PUD Revised Preliminary Revised Preliminary & Final PUD
 Final PUD Amend PUD Cancel PUD

Request to revise the preliminary master plan of the commercial portion of the PUD, as well as for final PUD approval, to allow for the development of a 24,000 square-foot office condo in four 6,000 square-foot buildings, replacing the previously-approved plan which allows for a 34,800 square-foot office building. This Tract 2 of the PUD is located on the southeast corner of the intersection of Coley Davis Road and Somerset Farms Drive.

PLAN DETAILS

The previous plan, approved in September 1982, allowed for the development of the 34,800 square-foot office building, centrally located on the site with parking located on the perimeter. The previously-approved plan also provides two points of ingress and egress on to Coley Davis Road and a joint-access drive that provides access to Tract 3, which is currently approved for a 175-unit hotel and restaurant.

The request for Tract 2 proposes to close the joint-access drive between tracts two and three and reduces the points of access to Coley Davis Road by one. This new plan proposes four 6,000 square-foot office buildings with parking located internal to the site, except along Somerset Farms Drive, where perimeter parking is located in the northwest corner of the site and out of the majority of the proposed stormwater management system. The stormwater management system directs all of the stormwater from the northwest corner of the site to the south and over to an outfall structure and drainage easement located on Tract 3 – which is under the same ownership of Tract 2. This plan also provides a seamless network of internal



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sidewalks and crosswalks for both pedestrians and those in need of special accessibility, as well as providing a connection to the proposed external sidewalks along Coley Davis Road and Somerset Farms Drive.

TRAFFIC ENGINEER'S FINDINGS

Public Works staff required that the following items be addressed on the proposed plan. Not all comments are shown here because some were appropriately addressed:

1. Provide typical roadway section.
2. Provide ST-314 (Commercial Concrete Driveway Ramp) on the details sheet.

CONDITIONS

1. In lieu of a required 6-foot wall or fence, staff is recommending that the applicant utilize an alternative design standard, as allowed under the PUD standards of the Metro Zoning Code. The applicant must provide additional shrubs and trees along the entire width of the southernmost portion of the parking area. This supplemental vegetation must be additional to any required buffer yard and perimeter plantings. Final determination of the amount of supplemental plantings will be determined by the Urban Forester and Planning Department staff. The applicant must post a landscape bond for this supplemental vegetation. This bond, the dollar amount of which is to be determined by the Urban Forester, will be held until final review of a tree survey by the Urban Forester. This tree survey will determine whether existing vegetation may suffice for the supplemental vegetation if properly protected and preserved, or if the existing material is poor in quality and might be damaged by construction activities. Should the existing vegetation be deemed poor in condition, or if it is found that there is no practical way of preserving the vegetation, then both shrubs and trees must be planted in accordance with the pre-determined supplemental planting plan.
2. Mechanical equipment, antennae or satellite dishes exceeding eighteen inches in diameter shall not be located within required landscape buffer yards or required front or side setbacks. Mechanical equipment or satellite dishes exceeding eighteen inches in diameter located atop a building shall be screened from all abutting public streets and residential properties by enclosure within the roof form of the building or a screen.
3. Dumpsters and other trash receptacles for all structures other than single-family or two-family residences shall be screened from public streets or properties which are zoned or policied for residential use. Receptacles shall be placed on a concrete pad and shall be enclosed by an opaque fence or wall at least six feet in height. An enclosure shall have an opaque gate unless the service opening is oriented away from public streets or adjacent residential properties. The enclosure shall be built of wood, masonry or other permanent materials and evergreen plants may be used in part to meet the requirement of opacity.
4. Provide typical roadway section.
5. Provide ST-314 on the details sheet.
6. A final plat needs to be recorded before the issuance of any building permits.



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7. Before the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of final approval of this proposal to the Planning Commission.
8. 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.
9. 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.
10. 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.
11. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



Project No.
Project Name

Mandatory Referral 2002M-081U-10
Close a portion of Alley #378 for United States Postal Service

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve, subject to a turn-around being provided within the alley in accordance with Public Works' standards.

APPLICANT REQUEST

A request to close a 250-foot portion of Alley #378 extending from the east margin of 18th Avenue North to the east margin of parcel 243.

(Easements to be retained)

APPLICATION REQUIREMENTS

Application properly completed and signed?

Yes

Abutting property owners' sign application?

Yes

DEPARTMENT AND AGENCY COMMENTS

Metro Water Services:

Easement rights must be retained. There is a 10-inch sewer line within the alley.

Metro Public Works:

The Traffic & Parking Commission approved this closure at their October, 2002 meeting, subject to the U.S. Post Office and Metro Public Works agreeing upon placement of a cul-de-sac / turn around.



Project No.
Project Name

Mandatory Referral 2003M-021U-05
Salvation Army Property Lease to Social Services – 617 Stockell Street

Council Bill
Staff Reviewer

BL2003-1350
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An Ordinance approving a facility use agreement by and between The Metropolitan Government of Nashville & Davidson County, acting through the Metro Social Services Commission and the Salvation Army for housing of a Childcare Center.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

None

RECOMMENDATION

All reviewing departments or agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2003M-026U-13
Rename Portion of McCrory Creek Road to
“Pulley Road”

Council Bill
Staff Reviewer

BL2003-1337
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request to rename a portion of McCrory Creek Road, north from Couchville Pike to Pulley Road, to "Pulley Road", as requested by Councilmember Derryberry.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

None

RECOMMENDATION

All reviewing departments or agencies recommend approval.



Project No.	Mandatory Referral 2003M-027U-11
Project Name	Aerial Encroachment for Communication Cable over Kline Avenue
Council Bill	None
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request to encroach into the Kline Avenue Right-of-Way by the installation of communication cable on existing Nashville Electric Service (NES) poles, per NES specifications, between 2311 Kline Avenue and 2312 Kline Avenue, requested by Dillingham & Smith Mechanical & Sheet Metal Contractors, Inc.

APPLICATION REQUIREMENTS

License to Encroach Agreement	Yes – one was submitted in correct form.
Insurance Certificate	Yes – one was submitted providing general liability of \$1,000,000 for each occurrence and \$2,000,000 for aggregate coverage, as required by Metro Legal.
Property Owner Sign Application	Yes
Tenant Sign Application	N/A

DEPARTMENT AND AGENCY RECOMMENDATIONS

All reviewing departments or agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2003M-028U-07
Hathaway Court Ingress/Egress Easement
Abandonment

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request to abandon an ingress-egress driveway easement for Project No. 02-SG-159, 400 Hathaway Court, since this easement is no longer needed by the Metro Water Services Department for access to the Rolling Fork Reservoir.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

None

RECOMMENDATION

All reviewing departments or agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2003M-029U-10
Vanderbilt Place Storm & Water Line
Relocation

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request to relocate a 54-inch stormwater line and an 18-inch water line for Project No. 02-SC-124, located on Vanderbilt Place at 29th Avenue.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

None

RECOMMENDATION

All reviewing departments or agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2003M-030G-10
Crater Hill Water Pumping Station
Demolition & Easement Abandonment

Council Bill
Staff Reviewer

None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request to abandon existing easements for the demolition of the Old Crater Hill Water Pumping Station building, for Project No. 03-WG-026.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

None

RECOMMENDATION

All reviewing departments or agencies recommend approval.