



**March 14, 2002 Actions of the Planning Commission
(For more specific information, call 862-7190)**

AGENDA

OF THE

METROPOLITAN PLANNING COMMISSION

March 14, 2002

I. CALL TO ORDER

II. ADOPTION OF AGENDA

Action: *Approved (9-0)*

III. APPROVAL OF FEBRUARY 28, 2002 MINUTES

Action: *Approved (9-0)*

IV. RECOGNITION OF COUNCILMEMBERS

**V. PUBLIC HEARING: ANNOUNCEMENT OF DEFERRED AND
WITHDRAWN ITEMS**

Action: *Approved (9-0)*

VI. PUBLIC HEARING: CONSENT AGENDA

Action: *Approved (9-0)*

VII. PUBLIC HEARING

ZONING MAP AMENDMENTS

1. **2002Z-007T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.04.060 of the Zoning Ordinance (Definitions of General Terms) to add definitions for "Front Façade" and "Leading Edge", requested by Planning Department staff.

Action: Deferred (9-0)

2. **2002Z-008T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Table 17.12.020.A of the Zoning Ordinance relating to side setbacks for the RM9, RM15, and RM20 districts within the Urban Zoning Overlay district and to the bulk requirements for the RM20, OR20, RM60, ON, I, and all mixed-use districts countywide, requested by Planning Department staff.

Action: Deferred (9-0)

3. **2002Z-009T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Table 17.08.030 of the Zoning Ordinance (District Land Use Tables) and Section 17.16.030.D (Residential Uses: Single-Family and Two-Family Dwellings in the ON and MUN Districts) by making them permitted instead of permitted with conditions, requested by Planning Department staff.

Action: Deferred (9-0)

- 4. 2002Z-010T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.12.030.C of the Zoning Ordinance (Street Setbacks) relating to front facades of buildings on rectangular corner lots, requested by Planning Department staff.

Action: Deferred (9-0)

- 5. 2002Z-011T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Table 17.12.030.A of the Zoning Ordinance (Street Setbacks for Single and Two-Family Structures) by adding for housekeeping purposes office, mixed-use, and higher-density residential districts which have always permitted these uses to the table, requested by Planning Department staff.

Action: Deferred (9-0)

- 6. 2002Z-012T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.12.035 of the Zoning Ordinance (Contextual Street Setbacks Within the Urban Zoning Overlay District) to identify in which zoning districts contextual street setbacks shall apply as well as clarify that parking may be permitted in the front of a building within the Urban Zoning Overlay district, requested by Planning Department staff.

Action: Deferred (9-0)

- 7. 2002Z-013T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.12 of the Zoning Ordinance (District Bulk Provisions) to ensure accessory buildings are in-scale with the neighboring area and provide size limitations on them where they are located on lots less than one acre in size, but exempting accessory structures from the size limitations on lots where agricultural activities and domestic animals/wildlife are permitted, requested by Planning Department staff.

Action: Deferred (9-0)

- 8. 2002Z-014T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Table 17.20.030 of the Zoning Ordinance (Parking Requirements: Retail) to modify the general retail and convenience retail parking requirements for retail within the Urban Zoning Overlay district, requested by Planning Department staff.

Action: Deferred (9-0)

- 9. 2002Z-015T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.20.040 of the Zoning Ordinance (Adjustments to Required Parking) to clarify that on-street parking may occur along streets less than 26 feet wide within the Urban Zoning Overlay district, requested by Planning Department staff.

Action: Deferred (9-0)

- 10. 2002Z-016T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.20.060.D of the Zoning Ordinance (Parking Area Design Standards: Residential Parking) to delete a provision requiring off-street parking within any street setback area to be on a driveway within the Urban Zoning Overlay district, requested by Planning Department staff.

Action: Deferred (9-0)

- 11. 2002Z-017T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.20.080.C of the Zoning Ordinance (Off-Site Parking: Common Ownership) to ensure that off-site parking leased for a particular use coincides with the term of the tenant lease, requested by Planning Department staff.

Action: Deferred (9-0)

- 12. 2002Z-018T**
Map , Parcel(s)
Subarea ()
District ()

A request to amend Section 17.24.190 of the Zoning Ordinance (Landscape Buffer Yard Requirements: Exemptions) by adding a bufferyard is not required when a zoning district boundary falls along a utility easement of 50 feet or greater, or within the Urban Zoning Overlay district, when the zoning district boundary falls along any public street, requested by Planning Department staff.

Action: Deferred (9-0)

13. 2002Z-018U-05

Map 061-11, Parcel(s) Part of 125 (0.5 ac)
Subarea 5 (1994)
District 8 (Hart)

A request to change from RS7.5 district to OL district a portion of property at 4115 Gallatin Pike, approximately 280 feet south of McMahan Avenue, (0.5 acres), requested by Platinum Financial Group, Inc., appellant, for John Lucus, owner.

Action: Approved (9-0)

14. 2002Z-019U-08

Map 091-12, Parcel(s) 200, 201, 202
Subarea 8 (1995)
District 21 (Whitmore)

A request to change from R6 district to MUL district properties at 701, 705, and 707 40th Avenue North, located within the Urban Zoning Overlay district and abutting the eastern terminus of Indiana Avenue, (0.72 acres), requested by James Lowen of Lowen and Trent LLC, appellant, for Marie McQuiddy, Bobby McQuiddy, and Bobbie McQuiddy, owners. (See PUD Proposal 82-77-P-08 and Mandatory Referral Proposal 2002M-028U-08).

Action: Approved (9-0)

15. 82-77-P-08

McQuiddy Retail Center
Map 91-12, Parcel(s) 200, 201, 202
Subarea 8 (1995)
District 21 (Whitmore)

A request to amend the undeveloped Planned Unit Development District located abutting the northwest corner of Indiana Avenue and 40th Avenue North, classified within the R6 district and Urban Zoning Overlay district and proposed for MUL district, (.55 acres), to permit an 11,000 square foot retail shopping center, replacing the approved and undeveloped 6,350 square foot retail center, requested by Lowen + Trent, LLC for Bobby, Bobbie and Marie McQuiddy owners. (See Zone Change Proposal 2002Z-019U-08 and Mandatory Referral Proposal 2002M-028U-08).

Action: Approved with conditions (9-0)

16. 2002Z-021G-03

Map 048-00, Parcel(s) 103, 215, 242, 294
Subarea 3 (1998)
District 1 (Gilmore)

A request to change from RS40 district to RS15 district properties at 3763 Westport Drive, 3815 Stevens Lane, and Stevens Lane (unnumbered), (16.77 acres), requested by Katherine Shields of Westport Development Company Inc., appellant, for Katherine Shields and Westport Development Company, owners.

Action: Disapproved (9-0)

17. 2002Z-022U-05

Map 082-16, Parcel(s) 90
Subarea 5 (1994)
District 6 (Beehan)

A request to change from CL district to RM40 district property located at Woodland Street (unnumbered), abutting the east margin of South 8th Street, within the East Bank Redevelopment, Urban Zoning Overlay and Historic Edgefield districts, (1.03 acres), requested by David Kline and Brent Grubb of Kline Sweeney Associates, for Wolfgang Sauermann, owner. (See PUD Proposal 2002P-001U-05).

Action: Approved (9-0)

18. 2002P-001U-05

Edgefield Housing
Map 82-16, Parcel(s) 90
Subarea 5 (1994)
District 6 (Beehan)

A request for preliminary approval for a Planned Unit Development District located abutting the south margin of Woodland Street and the east margin of South 8th Street, classified within the CL district and proposed for RM40 district, and also within the East Bank Redevelopment, Urban Zoning Overlay, and Historic Edgefield districts, (1.03 acres), to permit 33 multi-family units, requested by David Kline and Brent Grubb for Kline Swinney Associates, for Wolfgang Sauermann, owner. (See Zone Change Proposal 2002Z-022U-05).

Action: Approved with conditions (9-0)

- 19. 2002Z-024G-14**
Map 097-00, Parcel(s) 124
Subarea 14 (1996)
District 12 (Ponder)

A request to change from CL district to CS district property at Sells Drive (unnumbered), approximately 300 feet east of Old Hickory Boulevard, (1.44 acres), requested by R. Chris McGill of R. Chris McGill Architects, appellant, for Drury Inns, Inc., owner. (See PUD Proposal 210-73-G-14).

Action: Approved (5-4)

- 20. 210-73-G-14**
Drury Commercial PUD
Map 97, Parcel(s) 124
Subarea 14 (1996)
District 12 (Ponder)

A request to amend a portion of the Commercial Planned Unit Development District located abutting the east margin of Old Hickory Boulevard and the north margin of Sells Drive, classified within the CL district and proposed for CS district, (1.43 acres), to permit a 10,000 square foot boat sales facility, replacing an undeveloped 40,950 square foot, 80 unit, 6-story hotel, requested by R. Chris McGill Architects for Drury Inns, Inc., owner. (See Zone Change Proposal 2002Z-024G-14.)

Action: Approved with conditions with amendment that if use changes from boat sales to another use, then it goes back to the Metro Council as a PUD amendment (5-4)

- 21. 2002Z-026U-10**
Map 092-16, Parcel(s) 347
Subarea 10 (1994)
District 19 (Wallace)

A request to change from ORI district to CF district property located at 700 18th Avenue South, south of Division Street within the Urban Zoning Overlay district, (.17 acres), requested by Jane Chera, owner.

Action: Disapproved (9-0)

- 22. 60-86-P-14**
Northlake Village-Exxon
Map 86, Parcel(s) Part of 208
Subarea 14 (1996)
District 12 (Ponder)

A request to amend a portion of the existing Commercial Planned Unit Development District located abutting the north margin of Old Hickory Boulevard and the west margin of Andrew Jackson Way, classified within the R8 district, (1.60 acres), to permit the relocation of the western property line to allow additional parking spaces on the adjacent PUD (13-87-P-14), requested by Littlejohn Engineering, appellant, for Exxon Corporation, owner. (See PUD Proposal 13-87-P-14).

Action: *Approved with conditions (9-0)*

- 23. 13-87-P-14**
Chandler Square
Map 86, Parcel(s) Part of 219
Subarea 14 (1996)
District 12 (Ponder)

A request to amend a portion of the Commercial Planned Unit Development District located abutting the north margin of Old Hickory Boulevard and the east margin of Andrew Jackson Parkway, classified within the R8 district, (2.39 acres), to permit the relocation of the eastern property line to add .10 acres into the PUD district to allow for additional parking spaces (60-86-P-14), requested by Littlejohn Engineering, appellant, for First B Realty, L.P., owner. (See PUD Proposal 60-86-P-14).

Action: *Approved with conditions (9-0)*

- 24. 2001P-009G-13**
Maxwell Place
Map 176, Parcel(s) 27
Subarea 13 (1996)
District 29 (Holloway)

A request for preliminary approval for a Planned Unit Development District located abutting the south margin of Maxwell Road, 1,050 feet east of LaVergne-Couchville Pike, classified within the RS10 district, (15.3 acres), to permit 62 single-family lots with 6 lots designated as affordable housing lots, requested by Wamble and Associates for Continental Development, owner. (Deferred from meeting of 8/30/01).

Action: Approved with variance for horizontal radius of road (Section 2-6.2.1.E of Subdivision Regulations) and condition that with final PUD plan drainage issues shall be explained and addressed (9-0)

VIII. FINAL PLAT SUBDIVISIONS

- 25. 2002S-044G-14**
CHANDLER SQUARE, Phase 2
Map 086, Parcel(s) 219
Subarea 14 (1996)
District 12 (Ponder)

A request for final plat approval to record one parcel as one lot abutting the east margin of Andrew Jackson Parkway and the north margin of Old Hickory Boulevard, 2.43 acres, classified within the R8 Commercial Planned Unit Development District, requested by First B Realty, L.P., owner/developer, Little John Engineering Associates, Inc., surveyor. See Mandatory Referral Proposal 2002M-029G-14

Action: Approved with conditions and subject to a bond for sewer relocation and sidewalks (9-0)

- 26. 2002S-048G-03**
PARKER SUBDIVISION
Map 039, Parcel(s) 231
Subarea 3 (1998)
District 1 (Gilmore)

A request for final plat approval to subdivide one parcel into two lots, abutting the south margin of Clarksville Pike, and the north margin of Dry Fork Road, classified within the RS40 and RS20 district, (5.65 acres), requested by Greg Daniels, surveyor, for Wes Parker, owner.

Action: Approved with conditions with variance for maximum lot size (9-0)

- 27. 2002S-060G-03**
OLE ORCHARD, Phase 3
Map 049-00, Parcel(s) 279
Subarea 3 (1998)
District 1 (Gilmore)

A request for final plat approval to subdivide one parcel into two lots abutting the north margin of Lloyd Road, approximately 240 feet west of Whites Creek Pike, (.67 acres), classified within the R15 district, requested by William H. and Jean O. Thompson, Jr., owners/developers, Walter Davidson and Associates, surveyor.

Action: Disapproved (9-0)

- 28. 2002S-066U-12**
BRENTWOOD GARDENS, Resubdivision of Lots 27-32
Map 160, Parcel(s) 073-076 & 174
Subarea 12 (1997)
District 32 (Jenkins)

A request for final plat approval to consolidate six lots into two lots and creating one lot as a "non-buildable lot", abutting the south margin of Old Hickory Boulevard, between Valley View Road and Cloverland Drive, (8.02 acres), classified within the RM4 district, requested by Haury and Smith Contractors, owner/developer, Gresham, Smith and Partners, surveyor.

Action: Approved with conditions and subject to bond for sewer (9-0)

IX. PLANNED UNIT DEVELOPMENTS (revisions)

29. 182-83-G-03

Hickory Ridge
Map 42, Parcel(s) 40
Subarea 3 (1998)
District 3 (Nollner)

A request to revise a portion of the preliminary plan of the Residential Planned Unit Development District located abutting the north margin of Old Hickory Boulevard, west of I-65, classified within the RM9 district, (104.6 acres), to permit the development of 40 assisted living, 90 independent living units, 15 townhome units, and 196 duplex units, replacing 874 multi-family units on the approved plan, requested by Hart-Freeland-Roberts Inc., appellant, for Schaedle Worthington Hyde Properties, L.P., owner.

Action: Approved with conditions with variance for maximum street grade (Section 2-6.2.1, Table 1 of the Subdivision Regulations) (9-0)

30. 88-85-P-06

West Park
Map 114, Parcel(s) 261-263
Subarea 6 (1996)
District 23 (Bogen)

A request to revise the undeveloped Residential Planned Unit Development District located abutting the south margin of Charlotte Pike, north of I-40, classified within the R15 district, (40 acres), to permit 240 multi-family units, replacing 240 multi-family units on the approved plan, requested by Ragan-Smith Associates, appellant, for A. K. M. Fakhruddin et al, owners.

Action: Deferred indefinitely by applicant (9-0)

31. 77-87-P-03

Nocturne Forest, Phase 3
Map 70-3, Parcel(s) 40; Map 070-030A, Parcel(s) 39, 63
Subarea 3 (1998)
District 2 (Black)

A request to revise a phase of the preliminary plan of the Residential Planned Unit Development District located abutting the southern terminus of Nocturne Forest Drive at Old Buena Vista Road, classified within the RS15 district, (4.62 acres), to permit the development of 7 single-family lots, replacing 33 multi-family units, requested by Ragan-Smith Associates, appellant, for Chateau Associates, owner.

Action: Approved with conditions (9-0)

X. MANDATORY REFERRALS

32. 2002M-024U-05

Acquire Easement for Sewer Line Extension on Forrest Avenue
Map 083-13, Parcel(s) 261-262
Subarea 5 (1994)
District 6 (Beehan)

A request to acquire a 20' x 138' permanent easement and a 20' x 40' temporary easement at 1715 Forrest Avenue for a sewer line extension, requested by Metro Water Services.

Action: Approved (9-0)

33. 2002M-028U-08

Close Alleys #1204 and #1189
Map 091-12, Parcel(s) 200, 201, 203, 204
Subarea 8 (1995)
District 21 (Whitmore)

A request to close Alley #1204 between 40th Avenue North and Alley #1189, and Alley #1189 between Indiana Avenue to its terminus at Alley #1204, requested by James Lowen of Lowen + Trent LLC, for abutting property owners. Easements are to be abandoned. (See Zone Change Proposal 2002Z-019U-08 and PUD Proposal 82-77-P-08).

Action: Approved with conditions (9-0)

34. 2002M-029G-14

Abandon and Relocate Sewer Line and Easement
Map 086-00, Parcel(s) 219
Subarea 14 (1996)
District 12 (Ponder)

A request to abandon an 18" and 24" sewer line/easement and relocate and upgrade the sewer line to a 21", 24", and 30" sewer line/easement on the same property at 5410 Old Hickory Boulevard, requested by Phillip Piercy of Littlejohn Engineering, appellant, for First B. P. Realty L.P., owner. (See Subdivision Proposal 2002S-044G-14).

Action: Approved (9-0)

35. 2002M-030U-09

Sign Encroachment for Bailey's Pub & Grille
Map 093-06-3, Parcel(s) 80
Subarea 9 (1997)
District 19 (Wallace)

A request to encroach 4'8" at 408 Broadway with a sign measuring 4'8" in width by 14'0" in length at a height of 16'6" above the public sidewalk for Bailey's Pub & Grille, requested by Fox & Hound of Tennessee Inc., appellant, for Thomas Morales, owner.

Action: Approved with conditions (9-0)

XI. OTHER BUSINESS

36. Employee Contract for Jennifer Higgs

Action: Approved (9-0)

37. Employee Contract for Preston Mitchell

Action: Approved (9-0)

38. MPO Contract on Collector Street Plan

Action: Approved (9-0)

39. Legislative Update

XII. ADJOURNMENT