



**METROPOLITAN GOVERNMENT  
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes  
of the  
Metropolitan Planning Commission**

*May 27, 2004*

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**PLANNING COMMISSION:**

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

**Staff Present:**

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

**Commission Members Absent:**

Doug Small, Vice Chairman  
Judy Cummings

**I. CALL TO ORDER**

The meeting was called to order at 4:07 p.m.

**II. ADOPTION OF AGENDA**

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

**III. APPROVAL OF MAY 13, 2004 MINUTES**

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to approve the minutes of May 13, 2004. **(8-0)**

**IV. RECOGNITION OF COUNCILMEMBERS**

Councilmember Shulman spoke in opposition to Item #10 -- 2004S-155U-10. He expressed concerns raised by his constituents regarding this proposal which included various issues related to traffic, loss of green space, neighborhood integrity, etc. He requested that this proposal be deferred until June 10, 2004 which would allow time for the developer to address these issues expressed by his community.

Mr. McLean suggested that Councilmember Shulman discuss the request for deferral with the developer (who was present at the meeting) and report to the staff members their decision regarding Item #10 – 2004S-155U-10.

Councilmember Toler spoke in favor of Item #14 – 2001UD-001U-01.

Councilmember Foster stated that he is requesting that Items #1 and 2, 2004Z-047U-12 and 114-78U-12 be deferred until the June 24, 2004 meeting.

Councilmember Bradley spoke regarding Item #16 – 2004M-035G-13. He indicated that he spoke with the applicant today who stated he was unaware that this item was on the agenda. He indicated the applicant may request to defer this item for one meeting.

Councilmember Cole spoke in favor of Item #9 – 2003S-099U-05.

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

1. 2004Z-047U-12 R8 to RM15, McMurray Dr. (unnumbered) – Deferred to June 24, 2004 at the request of the applicant.
2. 114-78U-12 Edmondson Place Townhomes PUD – Deferred to June 24, 2004 at the request of the applicant.
7. 2004Z-070U-14 R10 to RM6 PUD west of Airwood Drive & South of Woodberry Drive – deferred to June 24, 2004 at the request of the applicant.
8. 148-83-U-14 Request to amend preliminary PUD west of Hibbitts Rd. & Airwood Drive – Deferred to June 24, 2004 at the request of the applicant.
10. 2004S-155U-10 Preliminary Plat Approval for 8 lots on the south margin of Shackleford Road and the west margin of Belmont Blvd. – deferred to June 10, 2004 at the request of the applicant.
11. 2004S-157G-04 Forest Glen, North margin of Old Hickory Boulevard – Deferred to June 10, 2004 at the request of the applicant.

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously to approve the deferred and withdrawn items. **(8-0)**

## **VI. PUBLIC HEARING: CONSENT AGENDA ZONING MAP AMENDMENTS**

3. 88P-039U-10 Blakemore Associates PUD, N. of Wedgewood Ave. -Approve w/ conditions

Mr. Kleinfelter announced that the building square footage noted in this report should read 3,665 sq. ft., instead of 4,051.

### **PRELIMINARY SUBDIVISION PLATS**

9. 2004S-099U-05 Rosebank Cove, Rosecliff Dr. - Approve w/ conditions

### **PLANNED UNIT DEVELOPMENTS (revisions)**

12. 65-82-U-10 Maryland Farms, Old Hickory Blvd. - Approve w/ conditions
13. 18-84-U-10 Blakeford at Greenhills (Burton Hills), Burton Hills Blvd. -Approve w/ conditions
14. 2001UD-001U-01 Lenox Village, Phase Six, Nolensville Pk.- Approve w/ conditions

### **MANDATORY REFERRALS**

15. 2004M-032U-11 Aerial Encroachment: Nashville Data Link - Approve w/ conditions
17. 2004M-036U-10 Stormwater Drainage Easement, 3932 Cross Creek Rd. - Approve
18. 2004M-037G-02 Stormwater Drainage Easement, Indian Summer Dr. -Approve
19. 2004M-038G-14 Sewer Line & Easement Acquisition, Tulip Grove Rd. -Approve
20. 2004M-039G-02 Sewer & Drainage Easement, 1100 Bellgrimes Lane -Approve w/ conditions
21. 2004M-040U Police Credit Union Sub-station ATM's - Approve
22. 2004M-041U-12 Habitat for Humanity, Inc. - Approve
23. 2004M-042G-01 Lease Agreement/Tennessee Youth Center - Approve w/ conditions

## **OTHER BUSINESS**

27. Employee Contract for Richard C. Bernhardt

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

## **VII. REQUEST TO ADOPT THE UPDATED LAND USE POLICY APPLICATION DOCUMENT (DEFERRED FROM MEETING OF MAY 13, 2004).**

**Staff Recommendation** - *Approve*

**REQUEST** - Adopt the updated Land Use Policy Application document

**Background** - The Commission deferred this item indefinitely at its February 26, 2004 meeting to allow time for additional changes to be made to the document. Those changes have been made, and staff is bringing the document back to the Commission for adoption.

Land Use Policy Application is the document that contains all of the land use policies that are used in Nashville's community (subarea) planning process. This document came into existence in 1993 and has not been amended since then. It is being updated at this time to:

- Add all of the new policy categories that have come into existence since the adoption of the North Nashville Community Plan update in January 2002
- Add a section on the Transect, a planning categorization system that categorizes the areas of a region from the most rural to the most urban, and reorganize the document to fit the Transect.
- Make needed revisions to policy categories throughout the document

Adopting the revised Land Use Policy Application document will also affect existing subarea plans. Most of the subarea plans do not need to be amended to reflect the changes, since they incorporate Land Use Policy Application by reference and therefore when it changes, those plans are changed accordingly. The five newest subarea plans do need to be amended to reflect the updated land use policies because they do not incorporate Land Use Policy Application by reference. The amendments to those five subarea plans are in the next item on this agenda.

Staff held three community meetings to discuss the changes to Land Use Policy Application. Those meetings were attended by 30 people who mainly had questions about the document.

The following narrative summarizes the changes to Land Use Policy Application that have been made since the draft considered at the February 26 meeting, and also notes how the five subarea plans that are to be amended are affected by the changes.

### **Summary of Changes**

**Appendix A:** Land Use Intent by Structure Plan Area and Detailed Land Use Category has been deleted and the other three appendices have been relettered accordingly.

**Natural Conservation** (*Also affects Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update*): Commercial uses would no longer be allowed. Commercial policy areas will now have to be specifically mapped.

**Rural** (*Also affects Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update*): Commercial uses would no longer be allowed. Commercial policy areas will now have to be specifically mapped.

**All Residential Areas** (*Also affects The Plan for Subarea 8: the North Nashville Community – 2002 Update; Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites*

***Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update***): Infill at a higher density than the policy category would normally allow would be permitted under specific, limited circumstances.

***Residential Low Density and Residential Low Medium Density Areas (Also affects Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update)***: Housing types other than single-family would be allowed in these areas unless otherwise specified by a special policy in the applicable subarea plan.

***Residential Low Density, Residential Low Medium Density, Residential Medium Density, Residential Medium High Density, and Residential High Density Areas (Also affects Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update)***: Transitional offices would no longer be allowed in these policy areas.

***Neighborhood General (Also affects The Plan for Subarea 8: the North Nashville Community – 2002 Update; Antioch-Priest Lake Community Plan: 2003 Update; and Bordeaux-Whites Creek Community Plan: 2003 Update)***: Unless an applicant submits an Urban Design Overlay, Planned Unit Development Overlay, or site plan to show how the neighborhood or portion of the neighborhood will be designed, these areas should not be rezoned to any district other than RS20 or RS15. (This change is made in the Standard Policies section).

Alley access is strongly preferred for lots 50 feet or less in width.

***Commercial Arterial Existing (Also affects Antioch-Priest Lake Community Plan: 2003 Update)***: A statement has been added that commercial zoning between major intersections should not be intensified unless special circumstances apply, such as an existing pattern of intensive commercial zoning. Also, if an applicant seeks to rezone to an intensive commercial zoning district such as CS at a location between major intersections, requirements have been added for a) a market study demonstrating that there is a shortage of available CS zoned property within a 1.5 mile radius of the subject site and b) evidence that adjacent affordable housing will not be displaced or otherwise rendered unstable by the commercial expansion.

***Part Two: Detailed Land Use Categories (Also affects The Plan for Subarea 8: the North Nashville Community – 2002 Update; Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update)***: The policy areas that can have Detailed Neighborhood Design Plans done for them have been changed. Also, a Planned Unit Development, Urban Design Overlay, or site plan will now be required for all areas where Detailed Neighborhood Design Plans have been done.

***Part Three: Standard Policies for Areas Without Detailed Neighborhood Design Plans (Also affects The Plan for Subarea 8: the North Nashville Community – 2002 Update; Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update)***: The text has been rearranged. The language regarding a requirement for a site plan, Planned Unit Development, or Urban Design Overlay has been made consistent in the standard policies for Corridor Edge, Corridor General, Neighborhood General, Neighborhood Center, Neighborhood Urban, Community Center, Regional Activity Center, Mixed Use, Major Institutional, Community Uses Limited, Industrial, Industrial and Distribution, Impact, Major Transportation, and Special Use areas.

Ms. Wood presented and stated that staff is recommending approval.

A resident spoke in favor of the Updated Land Use Policy Application, in particular to the updated transect application which is included in the application document.

Ms. Neilson moved and Mr. McLean seconded the motion, which passed unanimously to adopt the Updated Land Use Policy Application Document. **(8-0)**

#### **Resolution No. 2004 –153**

“BE IT RESOLVED by the Metropolitan Planning Commission that the Request to Adopt the Land Use Policy Application Document is **APPROVED. (8-0)**

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**VIII. AMENDMENTS TO THE FOLLOWING SUBAREA PLANS TO INCORPORATE THE PROVISIONS OF THE REVISED LAND USE POLICY APPLICATION DOCUMENT: The Plan for Subarea 8: The North Nashville Community: 2002 Update; Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update (Deferred from meeting of May 13, 2004).**

**Staff Recommendation** - *Approve*

**REQUEST** - Amend the five subarea plans listed above to incorporate the provisions of the revised Land Use Policy Application document

**Background** - Unlike the other nine subarea plans, which incorporate the policies in Land Use Policy Application by reference, the five subarea plans listed above need to be amended in order to incorporate the provisions of the newly revised Land Use Policy Application document. The Bellevue and Antioch-Priest Lake community plans have appendices that contain land use policies that were excerpted from the most current working draft of Land Use Policy Application. The North Nashville, Bordeaux-Whites Creek, and Joelton plans all have their policies in the body of those plans. The amendments will change these five plans to make them consistent with the other nine subarea plans in that they will now incorporate land use policies by reference that are contained in Land Use Policy Application. Any special policies that are unique to these five subarea plans will be retained, as is also the case with the other nine subarea plans that are not being amended.

The amendments to each of the five subarea plans follow. Please note that the amendment to the North Nashville Community Plan has been revised since the mailing for the last meeting. The changes to the amendment are technical in nature rather than substantive and mainly relate to retaining the current section numbering system within the plan document.

*The Plan for Subarea 8: the North Nashville Community: 2002 Update* [edition reprinted November 3, 2003 that incorporated Amendments # 1-4] is hereby amended as follows [NOTE: Added language is shown in italics and deletions are indicated by strike-through]:

1. By changing the fourth paragraph in Section 3.0.00 Introduction on page 57 to read as follows:

**Guiding The Community's Physical Development, Structure And Design (Section 3.3.00-3.7.00)** - These sections contain the goals and actions for building and completing the community's physical elements, the structure plan for the community, ~~the general intent and general design guidelines for each structural element of the community, and standard and special land use policies and related tables for guiding development in areas lacking "detailed neighborhood design plans."~~ They also contain ~~several set-up items for doing the~~ *guidelines for preparing "detailed neighborhood design plans."* ~~including the set of detailed land use categories, the set of building typologies, general design principles (repeated) and guidelines for preparing "detailed neighborhood design plans."~~ The actions in this section are also included in those indexed by planning neighborhood in **Chapter Four**.

2. By changing items 2 and 3 of Section 3.0.01, which follow the third paragraph on page 58, to read as follows.:

2) the general intent and design principles for the "structure plan area" where the site in question is located, which can be found in ~~Section 3.300 B~~ *a document called Land Use Policy Application, a General Plan component that is a companion document to all community plans and is incorporated by reference into this community plan;* and

3) the applicable standard policies found in Land Use Policy Application and the special policies found in Section 3.6.00 of this plan, in conjunction with ~~Table 12 in Section 3.6.00 Appendix A of Land Use Policy Application and the table in Appendix C of this plan.~~

3. By changing the first paragraph of Section 3.3.00 B on page 64 to read as follows:

B. Formation of the "Structure Plan." To formulate the "structure plan," the four basic structural elements of communities and neighborhoods related to areas (open space, special districts, centers, and general residential areas) have been expanded into a set of nine "structure plan area" classifications. This set of "structure plan areas," and the basic structural elements of the community that they correspond with, are summarized in the following chart and are described in detail in *Land Use Policy Application* ~~this subsection~~. The "structure plan" graphic also illustrates features other than the "structure plan areas." All of these other features lay over the "structure plan areas" except for those that fall within public or railroad right-of-way. These "other" features are listed after the chart that presents the "structure plan areas."

4. By changing the last paragraph on page 64 to read as follows:

The "structure plan" graphic is created by applying the various "structure plan areas" to the community, together with the other features listed above, based on the vision and goals for the overall mix and structure of the community's physical development. Boundaries of "structure plan areas" are intended to be definitive. The "structure plan areas" are described in *Land Use Policy Application* ~~below~~, including their general characteristics, the types of areas to which they are intended to apply, and the general design principles for each area. [Note: ~~Key statements of intent are underlined;~~ for a detailed listing of activities intended within each structure plan area see Appendix C of this plan.]

5. By deleting the material beginning with "Open Space" on page 65 and ending with the last bulleted item at the top of page 74.

6. By changing the second paragraph on page 88 to read as follows:

The land use categories, ~~and~~ building types, and standard policies are described in *Land Use Policy Application* ~~the next section~~. The ~~standard and~~ special policies are presented in Section 3.6.00.

7. By deleting Section 3.5.00 in its entirety and inserting in place thereof the following:

**3.5.00 THE LAND USE CATEGORIES AND BUILDING TYPES FOR GUIDING DEVELOPMENT.** *[Note: see the references below for the provisions that replaced the original contents of this section as a result of the adoption of Amendment #5 to this plan]*

**A. The Detailed Land Use Categories.** *The detailed categories of land use policy devised to refine the "structure plan areas" shown on Figure 18 are presented in Part Two of Land Use Policy Application. Part Two of Land Use Policy Application also contains a table that indicates which categories of detailed land use are appropriate within each "structure plan area."*

*Guidance regarding the general intensity of development intended within each land use category is provided by indicating the types of buildings that are intended within each category of land use (see references in Section B below.) Because of the wide variety of residential building types, adequate guidance regarding the residential development intended within each land use category can be provided by prescribing the specific residential building types that are appropriate in each of the land use categories. Additional guidance is necessary, however, regarding nonresidential development for two reasons.*

◆ *First, buildings designed for mixed use and/or nonresidential use can accommodate a wide variety of land uses and those building types per se do not govern land use.*

◆ *Second, the detailed land use categories are still quite general, the uses appropriate within each category include some activities that are not obvious based on the name of each category, and the activities appropriate in a particular land use category can vary depending on the underlying "structure plan area."*

*For the additional land use guidance needed for nonresidential activities intended in all of the land use categories, a table is provided in Appendix C of this plan that indexes specific land uses by land use category and "structure plan area."*

**B. The General Building Types.** *The types of buildings that are intended to provide guidance for development within each structure plan area and detailed land use policy category are illustrated in Appendix B of Land Use Policy Application.*

*In addition to providing guidance as to the general type of development intended, these building types also provide a means of guiding the intensity of development intended. For example, there are several types of single-family buildings and three "multifamily," "mixed-use," and "nonresidential" building types that all vary according the range of stories associated with each building type.*

**C. Interrelationship Of The "Structure Plan Areas," Land Use Categories And Building Types.** *In the preceding sections, the "structure plan areas," land use categories, and building types associated with this plan were addressed separately. They are, however, intended to work together. The interrelationship among them is illustrated in two parts, as follows.*

□ *The chart in Part Two of Land Use Policy Application specifies the detailed land use categories that are appropriate and may be applied within each "structure plan area" to prepare the "land use plan" element of each detailed neighborhood design plan.*

□ *The table in Appendix A of Land Use Policy Application specifies the particular types of buildings that are intended within each "structure plan area" and detailed land use category. Through these building types, the general intensity of development planned for each detailed land use category is effectively established.*

*The land use categories used to refine each "structure plan area" and form the Land Use Plan Element of each "detailed neighborhood design plan" should be selected from those listed as "yes" in the column for the applicable "structure plan area" in the chart in Part Two of Land Use Policy Application. Once a "detailed neighborhood design plan" has been adopted for a neighborhood, Appendix A in Land Use Policy Application should be consulted to determine the general types of building and land uses that are appropriate at a particular location within that neighborhood. Appendix C of this plan should be consulted to determine the detailed types of land uses that are appropriate at a particular location within that neighborhood.*

*At locations for which a detailed neighborhood design plan has not been completed, Appendix A in Land Use Policy Application should be consulted only to rule out the types of development that are not intended within a particular "structure plan area." In addition to that Appendix, decisions regarding the types of land uses that are appropriate at locations lacking detailed design plan guidance should be guided by the applicable standard policies for areas without detailed neighborhood design plans set forth in Part Three of Land Use Policy Application, and by the special policies for physical development in Section 3.6.00 of this plan.*

8. By changing the first paragraph of Section 3.6.00 as follows:

3.6.00 LAND USE POLICIES FOR AREAS WHERE "DETAILED NEIGHBORHOOD DESIGN PLANS" ARE INCOMPLETE. As noted earlier, the "detailed neighborhood design plans" are intended to be the primary guide for land use and building types. However, provisional land use and building policies and guidelines associated with the "structure plan" are necessary for areas lacking "detailed neighborhood design plans" until they are completed, which may take some time. The standard policies for guiding physical development in the portions of a community for which a "detailed neighborhood design plan" has not been adopted are contained in Part Three of *Land Use Policy Application*.

9. By deleting the text beginning with Standard Policy 1 on page 93 through Standard Policy 14 ending on page 101.

10. By deleting Figure 19 on pages 91/92, the chart at the top of page 93, and Table 12 on pages 94-97.

11. By changing the name of Standard Policy 4 on page 93 and its associated graphics on page 98 to Special Policy 9 and moving it so that it follows Special Policy 8.

12. By inserting at the end of the introduction to Section 3.7.00 on page 106 the following text:

*To achieve the design intent of each applicable detailed land use category, a Planned Unit Development Overlay, an Urban Design Overlay, or a site plan shall be required for all developments in areas covered by a Detailed Neighborhood Design Plan.*

13. By deleting the contents of Section 3.7.00 B on pages 106-110 and inserting in its place the following:

*[the contents of this section were deleted by Amendment #5 to this plan; for these design principles see Land Use Policy Application]*

14. By changing the first and third bulleted items at the bottom of page 110 and top of page 111 to read as follows:

- the provisions in ~~Table 12 Appendix A of Land Use Policy Application~~ and Appendix C of this plan,
- the design principles in ~~Section 3.7.00 B; and, Land Use Policy Application; and,~~

15. By changing the first paragraph of item 6 on page 112 to read as follows:

6. Land Use Plan. The design plan should include a detailed land use plan formed using the detailed land use categories listed in *Land Use Policy Application* ~~Section 3.3.02 A~~. The application of these land use categories is governed by the underlying “structure plan area” and the provisions of *Land Use Policy Application* ~~Table 12~~ regarding which land use categories are appropriate within a given “structure plan area.” Along with the land use categories comprising the land use plan, the Land Use Plan Element should show the following:

16. By changing the first paragraph of page C-1 of Appendix C to read as follows:

Contained in this Appendix is the table that lists individual land use activities and indicates which ones are intended in each detailed “land use category” within each “structure plan area.” The individual land use activities are those in the Metropolitan Zoning Ordinance. The “structure plan areas” and detailed “land use categories” are those listed in *Land Use Policy Application* ~~Chapter Three of this plan on pages 64 and 88, respectively.~~

17. By deleting the contents of Appendix D and inserting in place thereof the following:

*[NOTE: the contents of Appendix D were deleted by Amendment #5 to this plan; see Appendix B of Land Use Policy Application for the current building type illustrations]*

18. By changing the Table of Contents to reflect the changes made to the document

**The Bellevue Community Plan: 2003 Update is hereby amended as follows:**

1. By changing the last paragraph on page 12 to read as follows. Added language is shown in italics and deletions are indicated by strike-through:

The following are brief descriptions of each Structure Plan area. *The complete Structure Plan policies are contained in a document called Land Use Policy Application, which like this community plan is a component of the General Plan. It is incorporated by reference into this community plan. For full descriptions and for the Standard Policies that guide development in Structure Plan areas without Detailed Neighborhood Design Plans (most of Bellevue), see Appendix C.*



2. By deleting Appendix C and by relettering the remaining appendices accordingly.
3. By changing the Table of Contents to reflect the deletion of Appendix C and the relettering of the remaining appendices.

**The Antioch-Priest Lake Community Plan: 2003 Update is hereby amended as follows:**

1. By changing the first paragraph on page 15 to read as follows. Added language is shown in italics and deletions are indicated by strike-through:

The Structure Plan is intended to guide the future development of the Antioch/Priest Lake community. To form the Structure Plan, the four basic physical or structural elements of communities and neighborhoods (rural and open space, general residential areas, centers, and special districts) have been expanded into a set of Structure Plan area classifications. *The complete Structure Plan policies are contained in a document called Land Use Policy Application, which like this community plan is a component of the General Plan. It is incorporated by reference into this community plan.* ~~For complete descriptions and standard policies that guide development in structure plan areas without detailed neighborhood design plans, see Appendix C.~~ The basic structural elements and the corresponding structure plan area classifications are:

2. By deleting Appendix C.
3. By changing the Table of Contents to reflect the deletion of Appendix C.

**The Bordeaux-Whites Creek Community Plan: 2003 Update is hereby amended as follows:**

1. By deleting pages 28-49
2. By inserting as the new page 28 the following text:

***Land Use Policies***

*The complete Structure Plan policies are contained in a document called Land Use Policy Application, which like this community plan is a component of the General Plan. It is incorporated by reference into this community plan.*

**The Joelton Community Plan: 2003 Update is hereby amended as follows:**

1. By deleting pages 26-41
2. By inserting as the new page 26 the following text:

***Land Use Policies***

*The complete Structure Plan policies are contained in a document called Land Use Policy Application, which like this community plan is a component of the General Plan. It is incorporated by reference into this community plan.*

Ms. Wood presented and stated that staff is recommending approval.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to approve staff recommendations to amend the Subarea Plans to incorporate the provisions of the revised land use policy application document. The subarea plans include The Plan for Subarea 8: The North Nashville Community: 2002 Update; Bellevue Community Plan: 2003 Update; Antioch-Priest Lake Community Plan: 2003 Update; Bordeaux-Whites Creek Community Plan: 2003 Update; and Joelton Community Plan: 2003 Update. **(8-0)**

“BE IT RESOLVED by the Metropolitan Planning Commission that the amendment to The Plan for Subarea 8: The North Nashville Community: 2002 Update is **APPROVED. (8-0)**”

**Resolution No. 2004 –155**

“BE IT RESOLVED by the Metropolitan Planning Commission that the amendment to the Bellevue Community Plan: 2003 Update is **APPROVED. (8-0)**”

**Resolution No. 2004 –156**

“BE IT RESOLVED by the Metropolitan Planning Commission that the amendment to the Antioch-Priest Lake Community Plan: 2003 Update is **APPROVED. (8-0)**”

**Resolution No. 2004 –157**

“BE IT RESOLVED by the Metropolitan Planning Commission that the amendment to the amendment to the Bordeaux-Whites Creek Community Plan: 2003 Update is **APPROVED. (8-0)**”

**Resolution No. 2004 –158**

“BE IT RESOLVED by the Metropolitan Planning Commission that the amendment to the Joelton Community Plan: 2003 Update is **APPROVED. (8-0)**”

**IX. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING  
ZONING MAP AMENDMENTS**

1. **2004Z-047U-12**  
Map 161, Parcel 18  
Subarea 12 (1997)  
District 27 (Foster)

A request to change from R8 to RM15 district property at McMurray Drive (unnumbered), approximately 1,250 feet east of Edmondson Pike, (21.87 acres), requested by Ragan-Smith & Associates, Inc., applicant, for Gertrude Tibbs Ezell, owner. (Deferred from meeting of May 13, 2004). (See PUD Proposal No. 114-78U-12 below).

**The Metropolitan Planning Commission DEFERRED Zone Change 2004Z-047U-12 to June 24, 2004. (8-0)**

2. **114-78U-12**  
Edmondson Place Townhomes PUD (formerly known as McMurray Townhomes)  
Map 161, Parcel 18  
Subarea 12 (1997)  
District 27 (Foster)

A request to amend the undeveloped Planned Unit Development located abutting the north side of McMurray Drive and the west terminus of McMurray Court, classified R8 and proposed for RM15, (21.87 acres), to permit the development of 218 townhomes to replace a 162-unit townhome retirement development, requested by Ragan-Smith & Associates, applicant, for Gertrude Tibbs Ezell, owner. (Deferred from meeting of May 13, 2004). (See Zone Change Proposal No. 2004Z-047U-12 above).

**The Metropolitan Planning Commission DEFERRED undeveloped Planned Unit Development No. 114-78U-12 to June 24, 2004. (8-0)**

3. **88P-039U-10**  
Blakemore Associates  
Map 104-08, Parcels 418 & 419  
Subarea 10 (1994)  
District 19 (Wallace)

A request for a revision to the preliminary plan and for final approval for a phase of the Commercial Planned Unit Development located abutting the north margin of Wedgewood Avenue between 19th Avenue South and 21st Avenue South, classified MUL, (0.78 acres), to permit the development of a 4,051-square foot bank to replace 11,400 square feet of undeveloped general office, requested by Barge, Waggoner, Sumner & Cannon for Fifth Third Bank, optionee. (Deferred from meeting of April 22, 2004).

**Staff Recommendation** - *Approve with conditions.* The Metro Historic Zoning Commission is required to approve any plans associated with this PUD because it is also located within a Neighborhood Conservation Zoning Overlay District.

Since this item was deferred, this case has been heard by the MHZC. The MHZC approved the plan on May 19, 2004.

**APPLICANT REQUEST** - Revise Preliminary & Final PUD

Request for a revision to preliminary and for final Planned Unit Development approval for the Blakemore Associates Commercial PUD to allow for the development of a 3,665-square foot bank on Lot 2 of the existing PUD. The property is located along the north side of Wedgewood Avenue, approximately 375 feet east of 21<sup>st</sup> Avenue South.

**Current Zoning**

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

**PUD HISTORY**

Original Council Approval - On March 23, 1989, Metro Council adopted a Commercial Planned Unit Development (BL89-670) on the subject site, located along what was once an eastern extension of Blakemore Avenue, just north of Wedgewood Avenue. That portion of Blakemore Avenue, east of 21<sup>st</sup> Avenue South, was abandoned (BL89-668) with the adoption of the PUD. Additionally, the Council adopted a Neighborhood Conservation District (BL89-669) on the property, which was intended to be an amendment (#13) to the previously adopted University Center Urban Renewal Plan of 1967.

In a letter dated February 13, 1989, The Metro Historical Zoning Commission stated: "At the February 13, 1989, meeting of the [MHZC], the Commission voted to recommend approval of designating the Blakemore PUD area as a Neighborhood Conservation Zoning District.... Also, the Commission adopted a set of design guidelines for the proposed district with support from the property owner. Summary of significance: The Blakemore buildings are good examples of middle to upper-class residential structures from the early twentieth century which embody the distinctive characteristics of the American Bungalow, Craftsman, Tudor Revival and Dutch Colonial styles. The structures form a cohesive collection through a strong relation to one another in terms of scale, height, massing, proportion, and physical setting. Through this architectural distinctiveness and cohesiveness, the Blakemore buildings represent a significant and distinguishable entity worthy of preservation."

The approved PUD plan allowed for the development / redevelopment of 20,350 square feet of gross floor area of retail & office (11,350) and restaurant (9,000). All existing structures were preserved and incorporated into the PUD plan except for one residential structure that was removed from the area the current proposal is located.

**1992 PUD Amendment** - On September 15, 1992, Metro Council approved an amendment (BL92-367) to the commercial PUD to allow for the expansion of the PUD at the north and west side of Wedgewood Avenue and 19<sup>th</sup> Avenue South, as well as to include the modification of an existing two-story residential structure for an office

facility. This amendment brought the Council-approved gross floor area up to 27,240 square feet. All previous design conditions that were associated with the original 1989 approval were carried forward with this approval.

**Minor Revisions since 1992** - To date, since the 1992 amendment, the plan has changed very little with nothing more than minor revisions and final PUD approvals having been received by the Metro Planning Commission.

### **PLAN DETAILS**

The revised plan proposes a 3,665-square foot bank to be constructed on Lot 2 of the PUD. The application also proposes to revise Lot 1 as part of this revision and request for final approval. The revision to Lot 1 is minor – with no changes being proposed for the existing 2, 830-square foot structure. The Lot 1 revisions include adding two parking spaces to the rear of the structure, installing a new concrete ramp and walk to connect to the existing concrete patio, and reducing the size of the lot by 0.03 of an acre from 0.25 acres to 0.22 acres to accommodate the new bank on Lot 2.

The proposed bank has gone through a number of revisions since first being submitted. The plan now proposes a structure that is more consistent with the facades of the existing stone structures within the PUD. Parking will be provided within the former Blakemore Avenue right-of-way, and a drive-through teller facility is proposed along the rear (north) façade of the building with all vehicles exiting onto the existing 15-foot alley.

Because development of this 3,665-square foot bank does not increase the Council-approved square footage by more than 10%, an amendment to the PUD is not required for this addition. Lot 2 was last revised in 1997, to allow for the development of an 11,400-square foot general office building.

**METRO PUBLIC WORKS' COMMENTS** - All comments were satisfactorily addressed by the applicant.

### **CONDITIONS**

1. This approval does not include any signs. Business accessory or development signs in this commercial planned unit development must be approved by the Historic Commission and 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.

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

### **Resolution No. 2004 –159**

“BE IT RESOLVED by the Metropolitan Planning Commission that PUD No. 88P-039U-10 is **APPROVED WITH CONDITIONS**, except that the size of the proposed bank will be 3,665 square feet, not 4,051 square feet. **(8-0)**

#### **Conditions of Approval:**

1. This approval does not include any signs. Business accessory or development signs in this commercial planned unit development must be approved by the Historic Commission and 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."

## PRELIMINARY PLATS

4. **2004S-037G-04**  
Harlan Heights Subdivision  
Map 42-11, Parcels 73, 74 and 75  
Subarea 4 (1998)  
District 4 (Craddock)

A request for preliminary plat approval to create 4 lots abutting the southwest corner of Old Hickory Boulevard and East Marthona Road (4.13 acres), classified within in the RS20 district, requested by Jerry Harlan, owner, Jeffrey Gray, surveyor. (Deferred from meeting of May 13, 2004).

**Staff Recommendation** - *Disapprove as submitted but Approve with conditions* if the plat is revised to show only two lots fronting E. Marthona Road.

### APPLICANT REQUEST - Preliminary Plat

This request is to subdivide 3 existing lots into 4 lots located at the southwest corner of the intersection of Old Hickory Boulevard and East Marthona Road.

### ZONING

**RS20 district** - RS20 district allows single-family and requires a minimum lot size of 20,000 square feet.

**SUBDIVISION DETAILS** - The existing house is proposed to remain on a 2.28 acres lot fronting Old Hickory Boulevard. The three lots fronting East Marthona Road are proposed to be approximately 20,000 square feet each. Sidewalks are not required in the RS20 district.

**Lot Comparability (2-4.7)** - Lot comparability was applied to this proposal and yielded a minimum lots size of 29,933 square feet and a minimum frontage of 87.52 feet. All lots pass the frontage requirement, but lots 1 through 3 fail for minimum lot size. The subdivision does not qualify for a lot comparability waiver as it is located in the RL land use policy (1-2 dwelling units per acre) and is 3,500 feet from a commercial land use policy (1,780 feet short).

Staff recommends that lot 2 be combined into lots 1 and 3 to meet the minimum lot area required by the comparability regulations. It is also recommended that Lot #4 (Parcels 73 and 74) as shown on the preliminary plat, be divided into two lots since this would meet Zoning and Lot Comparability standards. As drawn, lot 4 requires a variance for 3 times the minimum lot size (in this case, 3 times 20,000 is 60,000 square feet).

At its May 13, 2004, meeting, the Commission voted to defer this item to give the applicant an opportunity to work with Staff to revise his plan. As of May 21, the applicant has not contacted staff to discuss this application further. Staff has been unable to identify any configuration of lots that will allow the applicant to develop three lots on this property that front on East Marthona Road and comply with the Subdivision Regulations.

**PUBLIC WORKS RECOMMENDATION** - Access to lot 3 should be restricted to East Marthona Road.

### CONDITIONS

1. Access to lot 3 is restricted to East Marthona Road.
2. Prior to final plat approval, Lot 2 must be divided and combined into lot 1 and lot 3, reducing the total number of lots in this subdivision from 3 to 2 fronting on East Marthona.
3. Lot #4 (Parcels 73 and 74) as shown on the preliminary plat, should be divided into two lots since this would meet Zoning and Lot Comparability standards.

Ms. Fuller presented and stated that staff is recommending disapproval of the plan as submitted, but would recommend approval with conditions if the plat is revised to show only two lots fronting E. Marthona Road.

Mr. Jerry Harlan, owner, spoke in favor of his proposal. He stated that he has received neighborhood support for this development. Mr. Harlan presented a note written by the neighbor who resides directly next to the property in question, which stated that he was in favor of Mr. Harlan's proposal.

Mr. Ponder requested clarification on staff's recommendation for disapproval, as well as clarification for staff's recommendation of two alternate plans.

Mr. Tyler requested clarification regarding lot comparability with the existing lots adjacent to this property.

Mr. McLean commented that due to the fact that the neighbors surrounding this proposal were in favor and that there was only a small technicality in meeting the zoning requirements he was in favor of approving.

Ms. Nielson spoke in favor of the proposal and commented on the comparability issue related to the development in relation to the existing neighborhood.

Mr. Loring explained that he spoke with the Councilmember of this district who indicated he and the neighbors affected by this proposal were in favor of approving.

Ms. Jones stated that even though the lot failed the comparability issue, it is still comparable to the neighborhood.

Mr. Clifton expressed concerns regarding approving the proposal with the understanding the lot did not meet lot comparability.

Chairman Lawson and Ms. Neilson stated that due to the fact that there were not many large lots in the area that would require similar stipulations, the Commission would not be setting a precedent for future requests.

Mr. Clifton requested further clarification on granting variances from this particular subdivision regulation.

Mr. Fox read to the Commission what he advised was the pertinent part of the subdivisions regulations dealing with variances.

Mr. McLean moved, and Mr. Loring seconded the motion, which passed unanimously to approve preliminary plat 2004S-037G-04. **(8-0)**

**Resolution No. 2004 -160**

**"BE IT RESOLVED** by the Metropolitan Planning Commission that 2004S-037G-04 is **APPROVED WITH CONDITION NO.1, and grant variance for Lot Comparability. (8-0)**

**Condition of Approval:**

1. Access to lot 3 is restricted to East Marthona Road."

Pennington Bend Chase  
Map 62, Parcels 46 and 47  
Subarea 14 (1996)  
District 15 (Loring)

A request for preliminary plat approval to create a 14 lot cluster subdivision, located abutting the east margin of Pennington Bend Road, approximately 2,500 feet north of McGavock Pike (5.6 acres), classified within the R15 district, requested by David Shearon, owner, Dale and Associates, engineer. (Deferred from meeting of April 8, 2004).

**Staff Recommendation** - *Approve with conditions*

#### **APPLICANT REQUEST**

**Preliminary Plat** - Subdivide 5.6 acres into 14 single-family lots along the east side of Pennington Bend Road.

#### **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. No duplex lots are proposed.

There was a similar plat approved by the Planning Commission in May of 2000. That approval expired after two years - prior to any site work beginning.

**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).

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 1.4 acres (25.9%) of open space, which exceeds the minimum open space acreage required.

**SUBDIVISION DETAILS** - This subdivision proposal is located in an area of Pennington Bend previously developed as large-lot, single-family homes developed adjacent to the street. The lots range from 1 to 4 acres. This will be the first redevelopment in the area and could set the pattern for future re-development of the large lots.

**Required Stub-Streets** - The applicant has provided a stub-street to the north of this subdivision, which may be necessary for tying into the properties to the north if they are to redevelop. The provision for stub streets will help to prevent numerous cul-de-sacs off Pennington Bend Road with no connectivity. More connectivity will serve to limit the number of roads and driveways on Pennington Bend Road.

#### **TRAFFIC**

**PUBLIC WORKS RECOMMENDATION** - "Sight Distance - The surveyor has provided data to indicate that the minimum sight distance is available, but barely available. Subject to final construction plans approval."

#### **CONDITIONS**

1. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.
2. The existing sewer line running through this property will need to be relocated and abandoned prior to recordation of the final plat.
3. At grading plan approval and final plat recordation, provide information that there is adequate access for detention pond maintenance between lots 10 and 11.
4. A Class "C" buffer yard is required behind lots 6-10 adjacent to the rear property line.

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

Mr. Roy Dale, Dale and Associates, spoke in favor of the proposal. He stated that this subdivision has met all of the requirements and that he has received approval from the various agencies associated with this development.

Mr. John Warren, 2605 Crealewood Drive, spoke in opposition to the proposal due to the impact it would have on Western Hills Drive and the Sutherland Heights neighborhood.

Ms. Virginia Small, 2645 Western Hill Drive spoke in opposition to the proposal due to safety issues associated with this development and their existing neighborhood.

Mr. Robert McNabb, 2709 Western Hills Drive, spoke in opposition to the proposal due to stormwater and drainage issues associated with the development.

Mr. Gary Howell, 2643 Western Hills Drive, spoke in opposition to the proposal due to community concerns associated with goals and intent of the subarea plan for the area.

Mr. Phillip Clayborn, 2911 Western Hills Drive, spoke in opposition to the proposal due to concerns associated with the subdivision regulations.

Mr. George Dozier, 2828 Western Hill Drive spoke in opposition to the proposal. Mr. Dozier submitted a petition containing 275 signatures of opposition of this development to the Commission.

Ms. Diane Turner, 2828 Gay Winds Court, spoke in opposition to the proposal due to traffic issues associated with this development.

Chairman Lawson requested clarification on lot comparability and its association with subdivisions.

Chairman Lawson also requested clarification on the policy issues and whether there were any conflicts with this development.

Mr. Clifton commented on the fact that the proposal does meet all of the technical requirements of a subdivision as well as the zoning regulations. He expressed concerns regarding the issues mentioned by the community.

Mr. Ponder requested clarification and expressed concerns regarding the placement of a retention area within the development.

Ms. Fuller explained that placement of the retention area is one of the conditions of the development.

Mr. Loring stated he was not in favor of approving this proposal due to the additional traffic, infrastructure of the roads, as well as safety issues associated with this development.

Ms. Jones explained that the land is properly zoned for this subdivision and that the proposal does meet the requirements of this request.

Mr. McLean moved and Mr. Ponder seconded the motion, to approve with conditions the preliminary plat #2004S-074U-14. (7-1) No Vote – Loring

**Resolution No. 2004 –161**

**“BE IT RESOLVED** by the Metropolitan Planning Commission that 2004S-074U-14 is **APPROVED WITH CONDITIONS. (7-1)**

**Conditions of Approval:**



1. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.
2. The existing sewer line running through this property will need to be relocated and abandoned prior to recordation of the final plat.
3. At grading plan approval and final plat recordation, provide information that there is adequate access for detention pond maintenance between lots 10 and 11.
4. A Class "C" buffer yard is required behind lots 6-10 adjacent to the rear property line."

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**X. PUBLIC HEARING:  
ZONING MAP AMENDMENTS**

6. **2004Z-058G-13**  
Map 176, Parcel 13  
Subarea 13 (2003)  
District 32 (Coleman)

A request to change from AR2a to RS10 district property located at 4465 LaVergne Couchville Pike, approximately 1,800 feet north of Murfreesboro Pike, (5.01 acres), requested by Rodney Wise for Jean Claire Carroll, owner.

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - Rezone 5.01 acres from agricultural/residential (AR2a) to residential single-family (RS10) district property at 4465 LaVergne Couchville Pike, approximately 1,800 feet north of Murfreesboro Pike.

**Existing Zoning**

**AR2a district** - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district allows 2 dwelling units on this property.

**Proposed Zoning**

**RS10 district** - RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 district would permit a total of 18 dwelling units on this property.

**ANTIOCH-PRIEST LAKE COMMUNITY PLAN POLICY**

**Neighborhood General (NG)** - NG is intended to apply to existing areas that are, and are envisioned to remain, predominantly residential in character, and the emerging and future areas that are planned to be predominantly residential. NG areas include single-family residential and public benefit activities. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

**Neighborhood Center (NC)** - NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a neighborhood center is a "walk-to" area within a five-minute walk of the surrounding neighborhood it serves. The key types of uses intended within NC areas are those that meet daily convenience needs and/or provide a place to gather and socialize. Appropriate uses include single- and multi-family residential, public benefit activities and small-scale office and commercial uses.

**Policy Conflict** - This parcel is split between two policies: Neighborhood General (NG) and Neighborhood Center (NC). The proposed RS10 zoning district is consistent with the NG policy intended for single-family residential development, however, it is not entirely consistent with the NC policy intended for neighborhood scale commercial or mixed use development. The RS10 zoning district can be consistent with the NC policy if platted as useable open space within the residential subdivision.

The LUPA document (also on this agenda) allows for the submittal of a site plan as an alternative to an overlay district within the Neighborhood General policy with any zone change request proposing a higher density than the RS15 zoning district would allow (2.47 dus/ac). A site plan has been submitted and reviewed by Planning staff. This site plan includes the Hickory Woods Close subdivision approved for 27 single-family cluster lots by the Commission on March 11, 2004 and includes an open space within the subdivision. The plan also proposes a connection through parcel 012 and a stub street to parcel 011 both zoned AR2a at this time, but may be rezoned in the future. Parcels 011 and 012 should be consistent with the zoning classifications in the area and should connect to this proposed development.

**RECENT REZONINGS** - Parcels 014 and 015 were rezoned from AR2a to RS10 in June 2003. The Planning Commission recommended approval in April 2003.

**TRAFFIC** - No Exception Taken.

**Typical Uses in Existing Zoning District: AR2a**

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	5.01	0.5	3	29	3	3

**Typical Uses in Proposed Zoning District: RS10**

Land Use (ITE Code)	Acres	Units per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	5.01	3.7	19	182	15	20

**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
--	--	---	--	+153	+12	+17

**METRO SCHOOL BOARD REPORT**

Projected student generation      3 Elementary    3 Middle      2 High

**Schools Over/Under Capacity** - Students would attend Mt.View Elementary School, Kennedy Middle School, or Antioch High School. All three schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster and capacity at the high school in an adjacent cluster. There are no middle schools with capacity in the Antioch cluster, however, this information is based upon data from the school board last updated January 16, 2004.

**Fiscal Liability** - The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$39,000 for additional school capacity in this cluster. A new middle school is presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

**Planned School Capital Improvements**

Location	Project	Projected Date
Antioch Cluster (New middle school)	Purchase land and construct	FY03-04
Antioch High School	District Wide ADA Compliance	FY03-04

Chairman Lawson explained that Councilmember Coleman requested that this item be removed from the consent agenda in order to discuss certain issues he had regarding this request. However, Councilmember Coleman was not present when this item came up for discussion and it was suggested to move it further down the agenda.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously, to move this item to be heard after Item #16 on the agenda. This would allow additional time for Councilmember Coleman to arrive. **(8-0)**

Chairman Lawson announced that Councilmember Coleman was not present at the meeting.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to place Item #6 - 2004Z-058G-13, back on the consent agenda.  
**(8-0)**

**Resolution No. 2004 –162**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-058G-13 is APPROVED. (8-0)

**The proposed RS10 district is consistent with the Antioch-Priest Lake Community Plan’s Neighborhood General (NG) and Neighborhood Center (NC) policies. The LUPA document allows for the submittal of a site plan as an alternative to an overlay district to accompany zone changes with higher densities than the RS15 or RS20 zoning districts within NG policy areas. A site plan was submitted and proposes connection from the Hickory Woods Close subdivision through the adjacent parcel (012) and proposes a stub street to parcel 011. Parcels 011 and 012 which are currently zoned AR2a should be consistent with the zoning classifications in the area and should connect to this proposed development in the future. During the platting stage, the plan may need to be revised to allow for useable open space along LaVergne Couchville Pike within the NC policy area.”**

7. **2004Z-070U-14**  
Map 95-12-0-A, Parcel 227  
Subarea 14 (1996)  
District 15 (Loring)

A request to change from R10 to RM6 district property located within an existing Planned Unit Development located west of the terminus of Airwood Drive, south of Woodberry Drive (8.66 acres), requested by McKinney Engineering, applicant, for Chan McCullough/Venture Properties, owner. (See PUD Proposal No. 148-83-U-14 below.

**The Metropolitan Planning Commission DEFERRED Zone Change No. 2004Z-070U-14 to June 10, 2004. (8-0)**

8. **148-83-U-14**  
Park at Lakeland  
Map 95-12-0-A, Parcel 227  
Subarea 14 (1996)  
District 15 (Loring)

A request to amend the preliminary plan for a portion of the Planned Unit Development located abutting the west margin of Hibbitts Road and the terminus of Airwood Drive, classified R10, (8.66 acres), to permit the development of 42 townhouse units to replace the undeveloped 98 townhouse units, requested by McKinney Engineering for Chan McCullough, owner. (See Zone Change Proposal No. 2004Z-070U-14 above).

**The Metropolitan Planning Commission DEFERRED Preliminary Planned Unit Development No. 148-83-U-14 to June 24, 2004. (8-0)**

## **XI. PRELIMINARY SUBDIVISION PLATS**

- 9. 2003S-099U-05**  
Rosebank Cove  
Map 84-1, Parcel 19  
Subarea 5 (1994)  
District 7 (Cole)

A request for preliminary plat approval for 13 lots abutting the northwest corner of Rosecliff Drive and Rosebank Avenue (3.56 acres), classified within the R10 district, requested by Low Income Housing Partners #2, LLC, owner/developer, Burns & Associates, surveyor.

**Staff Recommendation** - *Approve with conditions*, including a sidewalk variance for the south side of Rosecliff Drive.

### **APPLICANT REQUEST**

Preliminary Plat - Subdivide 3.56 acres into 13 single-family lots along the north side of unbuilt Rosecliff Drive and the west side of Rosebank Avenue.

### **ZONING**

**R10 District** - R10 district, requiring a minimum lot size of 10,000 square feet and intended for single and two-family dwellings at an overall density of 4.63 dwelling units per acre with 25% duplex lots. No duplex lots are proposed for this subdivision, however.

**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 R10 (minimum 10,000 sq. ft. lots) to R6 (minimum 6,000 sq. ft. lots).

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 36,590 square feet (23.5%) of open space.

**SUBDIVISION DETAILS** - This subdivision proposal utilizes the cluster lot option because of a stream and buffer along the western border of the property.

This development will be responsible for constructing a street within the right-of-way for Rosecliff Drive that will connect the existing dead-end with Rosebank Avenue. Although curb and gutter are required on both sides of the new street, staff is only requiring the applicant to construct sidewalks on their side of the new street since there is a utility sub-station on the opposite side of the street. Since this is not a typical use in a residential area, staff finds that this is a unique situation. If this property were to redevelop, that developer would then be required to construct sidewalks in front of their development.

### **PUBLIC WORKS FINDINGS** - No Exceptions Taken

All preliminary plats are subject to Public Works' review and approval of construction plans.

### **CONDITIONS**

1. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.
2. A C type buffer is required at the perimeter of lots that are less than 8,000 square feet. A 10 foot "C" buffer requires a masonry wall. A 20 foot "C" type buffer does not require a masonry wall. If the applicant chooses to use the 20 foot option, the buffer in the area of lots 5-10 will need to be adjusted accordingly. This needs to be adjusted prior to grading plan approval.
3. The preliminary plat needs to be revised to show graphically that the right-of-way of Rosecliff Avenue will be constructed from the existing terminus to the intersection of Rosebank Avenue.

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

**Resolution No. 2004 –163**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2003S-099U-05 is **APPROVED WITH CONDITIONS, with a sidewalk variance for south side of Rosecliff Drive. (8-0)**

**Conditions of Approval:**

1. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.
2. A C type buffer is required at the perimeter of lots that are less than 8,000 square feet. A 10 foot “C” buffer requires a masonry wall. A 20 foot “C” type buffer does not require a masonry wall. If the applicant chooses to use the 20 foot option, the buffer in the area of lots 5-10 will need to be adjusted accordingly. This needs to be adjusted prior to grading plan approval.
3. The preliminary plat needs to be revised to show graphically that the right-of-way of Rosecliff Avenue will be constructed from the existing terminus to the intersection of Rosebank Avenue.

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- 10. 2004S-155U-10**  
Oxford Hills Subdivision  
Map 131-03, Parcels 223 and 224  
Subarea 10 (1994)  
District 25 (Shulman)

A request for preliminary plat approval for 8 lots, located on the south margin of Shackleford Road and the west margin of Belmont Boulevard (2.97 acres), requested by Hammond Brandt Builders, developers, and Ragan-Smith Associates, engineer.

Mr. Kleinfelter announced that Councilmember Shulman and the developer of this proposal have agreed to defer this item until June 10, 2004.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to place this item back on the deferred agenda. **(8-0)**

**The Metropolitan Planning Commission DEFERRED Subdivision No. 2004S-155U-10 to the June 10, 2004 meeting.**

The Commission recessed at 5:35 p.m.

The Commission resumed business at 5:45 p.m.

- 
- 11. 2004S-157G-04**  
Forest Glen  
Map 43-10, Parcel 58  
Map 43-11, Parcel 104  
Subarea 4 (1998)  
District 9 (Forkum)

A request for preliminary plat approval for 15 lots abutting the north margin of Old Hickory Boulevard, approximately 300 feet west of McArthur Drive (3.04 acres), requested by Eddie and Christine Dilts, owners/developers, Bruce Rainey and Associates, engineer.

### **XIII. PLANNED UNIT DEVELOPMENTS (revisions)**

12. **65-82-U-10**  
Maryland Farms  
Map 170, Parcel 4  
Subarea 10 (1994)  
District 34 (Williams)

A request for a revision to preliminary and for final approval for a undeveloped phase of the Planned Unit Development located abutting the south margin of Old Hickory Boulevard, east of Brentwood Boulevard, classified OL, (.53 acres), to permit a 5,000 square foot one-story office building to replace an existing bank, requested by Barge-Cauthen and Associates for Solomon Development, owner.

**Staff Recommendation** - *Approve with conditions*

#### **APPLICANT REQUEST - Revise Preliminary & Final PUD**

Request for revision to preliminary and for final PUD approval for a portion of the Maryland Farms commercial PUD to allow for the development of a 5,000-square foot bank. The property is located in the southeast corner of Old Hickory Boulevard and Brentwood Boulevard.

#### **PLAN DETAILS**

##### **Current Zoning:**

**Office Limited (OL)** - The OL district allows for the development of general office by right; in addition, general office is considered less intensive than the existing use of financial institution.

**Site Design:** The proposed plan calls for the demolition of the existing bank and any associated accessory structures. The plan then proposes a 5,000-square foot office building to be centrally-located on the site with one point of ingress / egress on Thoroughbred Lane. All cross-access easements and internal connections to adjacent sites will remain in effect with this plan. The original PUD approved the development of this site with specific setbacks for the bank use, but the proposed office building does not conform to those setbacks. Staff is recommending that a revised plat be recorded prior to the issuance of any building permits.

This revision proposes a setback of 17 feet, an encroachment into the platted side yard setback of 30 feet by 13 feet. In addition to recommending that a revised plat be recorded to amend the platted setback, staff is also recommending that additional landscaping, above the minimum buffer requirement, be provided along the side of the building facing Brentwood Boulevard.

**METRO PUBLIC WORKS' RECOMMENDATION** - All comments provided as part of the plan review process were successfully addressed.

#### **CONDITIONS**

1. Prior to the issuance of any building permits, the associated subdivision plat, entitled Maryland Farms East Park, Resubdivision of Tract One (Book 6250, Page 1), shall be amended to reflect the new western side setback line of 17 feet.
2. Additional landscaping, above the minimum amount required by Code for buffering against a 2-lane street, shall be provided along the west building façade that faces Brentwood Boulevard.
3. 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.

4. 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.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

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

**Resolution No. 2004 –164**

“BE IT RESOLVED by the Metropolitan Planning Commission that PUD No. 65-82-U-10 is **APPROVED WITH CONDITIONS. (8-0)**

**Conditions of Approval:**

1. Prior to the issuance of any building permits, the associated subdivision plat, entitled Maryland Farms East Park, Resubdivision of Tract One (Book 6250, Page 1), shall be amended to reflect the new western side setback line of 17 feet.
2. Additional landscaping, above the minimum amount required by Code for buffering against a 2-lane street, shall be provided along the west building façade that faces Brentwood Boulevard.
3. 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.
4. 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.
5. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

- 
- 13. 18-84-U-10**  
Blakeford at Greenhills (Burton Hills)  
Map 131-06-0-A, Parcel 15  
Subarea 10 (1994)  
District 25 (Shulman)

A request for a revision to a phase of the Residential Planned Unit Development located abutting the east margin of Burton Hills Boulevard and the north margin of Seven Hills Boulevard, classified R15, (9.52 acres), to permit the addition of 10 nursing home beds, 17 assisted-living beds, and to reduce the number of future independent living

units in Phase 3 from 27 to 18 units, requested by Littlejohn Engineering Associates for Blakeford of Green Hills, owner.

**Staff Recommendation - Approve with conditions**

**APPLICANT REQUEST - Revise Preliminary**

Request to revise a 9.52 acre portion of the preliminary Residential Planned Unit Development located abutting the east side of Burton Hills Boulevard and the north side of Seven Hills Boulevard to permit the addition of 30 nursing home beds, 17 assisted-living beds, and to reduce the number of future independent living units in Phase 3 from 27 to 18 units.

**PUD PLAN DETAILS**

The proposed plan revises a portion of the PUD to allow two additions to an existing assisted-living and nursing home facility, while reducing the number of units in an unbuilt portion of this phase.

Use	Existing Units/ Beds/S.F.	Phase II, Proposed Units/Beds	Future Phase III
Commons/Garage	0	0	0
Nursing Home Beds	40	30 (10 new beds)	0
Assisted Living Beds	48	17 (New beds)	0
Independent Living Units (multi-family)	132 units	0	18 (Already approved)

Since this is a Residential PUD already approved for Nursing Home and Assisted-Living uses, and because this proposal does not increase the overall number of dwelling units from what was last approved by Council, this item is not considered an amendment that requires Council approval. Under the Zoning Code, the Nursing Home use is not counted as “residential” for development density purposes, but square footage is counted like a commercial use. The increased Nursing Home square footage (21,530 square feet) does not increase the overall square footage of the Burton Hills PUD by more than 10%, therefore, this change is also considered a minor revision. The plan does not change any of the existing access points.

**TRAFFIC ENGINEER’S FINDINGS - No exception taken.**

**CONDITIONS**

1. This approval does not include any signs. Business accessory or development signs in 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.

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

**Resolution No. 2004 –165**

“BE IT RESOLVED by the Metropolitan Planning Commission that PUD No. 18-84-U-10 is **APPROVED WITH CONDITIONS. (8-0)**



**Conditions of Approval:**

1. This approval does not include any signs. Business accessory or development signs in 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.”

- 14. 2001UD-001U-01**  
Lenox Village, Phase Six  
Map 173, Part of Parcel 62  
Subarea 12 (1997)  
District 31 (Toler)

A request for final approval for Phase Six of the Urban Design Overlay District located abutting the east margin of Nolensville Pike, opposite Bradford Hills Drive, classified RM9 (13.47 acres), to permit the development of 31 townhouses and 10 single-family street access lots, requested by Anderson-Delk Associates for Lenox Village LLC., owner.

**Staff Recommendation** - *Approve Phase 6 with conditions*, including the establishment of a traffic-improvement phasing plan with the approval of the final plat for this phase. The current traffic recommendations are the maximum amount of improvements that may be needed for this project. Negotiations are continuing and the final traffic recommendations will be presented either at the Commission meeting or prior to final plat approval.

**APPLICANT REQUEST - Final UDO**

Approval of final UDO plan for Phase 6 in order to permit the development of 31 townhomes and 10 street access single-family on a total of 13.5 acres.

**Existing Zoning**

**MUL zoning with a UDO** - Moderate intensity mixture of residential, retail, restaurant, and office uses in accordance with a design concept plan and design guidelines.

**SUBAREA 12 PLAN**

**POLICY**

**Mixed-Use Policy (MU)** - MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density.

**Policy Conflict** - No. The UDO determines the density and design of development on this land.

**TRAFFIC**

**Traffic Study Submitted** - Yes – an amended TIS was required as part of the July, 2003 Council-approved amendment to the UDO. The approved condition required that an amended TIS be submitted and approved prior to the submission of any future requests for a final UDO.

That amended TIS was reviewed and approved with conditions by Metro Public Works. The TIS and associated conditions were addressed by the MPC at the final UDO requests for Phase 5 and the Towncenter. The MPC approved both final UDO requests with a condition that a Phasing / Schedule Plan for traffic mitigation improvements be submitted and approved by Metro Government prior to the recording of any plats.

**Metro Traffic Engineer's Findings** - Approved the TIS with the following conditions:

***Old Hickory Blvd/ Nolensville Road Intersection***

For the intersection of Old Hickory Blvd., the TIS suggested that only a grade separation design mitigation will improve this intersection to the level of service D.

Existing PM peak hour LOS is E, with an intersection delay of 58 seconds, background traffic conditions result in AM peak hour LOS E and PM peak hour is LOS F, with an intersection delay of 95 seconds. With the addition of total project build out the LOS remains at LOS E and LOS F, with the average delay increasing to 122 seconds. There are no recommended mitigations for this intersection.

***Barnes Road / Nolensville Road Intersection***

At the intersection of Barnes/Celebration Way and Nolensville Road, a signalized intersection, the existing LOS is acceptable. With background traffic, the LOS remains acceptable. With the addition of the total project build out, this intersection will operate at LOS F in the am and pm peak hours. A review of the Nolensville ROW information Indicates that there is approximately 70 ft of Right of way on Nolensville at this location.

The developer shall install the following mitigations.

1. Modify existing signal
2. Install a 12 ft wide north bound lane for a minimum distance of 400 ft in advance of Barnes Rd and 250 ft past intersection with transition per AASHTO standards.
3. Install a 12 ft wide south bound through lane for a minimum distance of 600 ft in advance of Celebration Way and 250 ft past intersection with transition per AASHTO standards. Construction plans shall be submitted to locate optimum beginning and ending of this road widening.

***Holt Road / Nolensville Road Intersection***

This is a stop controlled intersection with Holt stopping for Nolensville Road. The Eastbound turn lanes operate at LOS F with a 69 second average delay. Under background traffic conditions the delay increases to 234 sec/veh. With the project, the delay increases to 6979. With the installation of a NB left turn lane and signalization, the LOS is F, with delay of 104 sec/veh.

1. Install NB left turn lane on Nolensville Rd with 75 ft storage and transition per AASHTO standards.
2. Install signal with optimum signal timing .Submit signal plan to Metro engineer for approval.

***Along Lenox Village property frontage on Nolensville Road***

1. Install 2-way left turn lane from Lord's Chapel to access #5 with transition per AASHTO standards.
2. Reserve 1/2 ROW for Nolensville Road U6 classification. (1/2 of 132 ft)

***Lord's Chapel Way, northernmost access point (access #1)***

The northernmost access point (access 1) to Lenox Village has already been constructed.

1. The pavement shall be striped to provide WB left turn lane and WB right turn lane.
2. No on-street parking shall be allowed for 300 feet from intersection on the north side of access 1 in order to allow adequate storage.
3. Install 12-foot wide southbound (SB) left turn lane on Nolensville Rd with 75 feet of storage length.

***Bradford Hills / Lenox Village Drive and Nolensville Road intersection (access #2)***

The Bradford Hills / Lenox Village Drive and Nolensville Road intersection is currently signalized.

1. Re-stripe WB Lenox Village Dr for left/thru lane and a WB right lane.
2. Install NB right turn lane.
3. Install 150 ft SB left turn lane in 2-way left turn lane.
4. Provide no parking on north side of access road for 200 ft from intersection

***Project access #3, private drive for Commercial***

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #3
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane

***Project access #4***

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #4 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. No on street parking shall be provided for 75 ft from intersection
5. Provide adequate sight distance

***Project access #5***

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #5 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. Install signal when warranted. Traffic counts and warrant analysis shall be conducted annually and submitted to Metro traffic Engineer for signal approval. Signal plan shall include pedestrian signal and associated ADA standard facilities. Access 5 shall be located opposite school drive
5. Provide adequate sight distance

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

**Resolution No. 2004 –166**

“BE IT RESOLVED by the Metropolitan Planning Commission that UDO 2001UD-001U-01 is APPROVED WITH CONDITIONS. (8-0)

***Old Hickory Blvd/ Nolensville Road Intersection***

For the intersection of Old Hickory Blvd., the TIS suggested that only a grade separation design mitigation will improve this intersection to the level of service D.

Existing PM peak hour LOS is E, with an intersection delay of 58 seconds, background traffic conditions result in AM peak hour LOS E and PM peak hour is LOS F, with an intersection delay of 95 seconds. With the addition of total project build out the LOS remains at LOS E and LOS F, with the average delay increasing to 122 seconds. There are no recommended mitigations for this intersection.

***Barnes Road / Nolensville Road Intersection***

At the intersection of Barnes/Celebration Way and Nolensville Road, a signalized intersection, the existing LOS is acceptable. With background traffic, the LOS remains acceptable. With the addition of the total project build out, this intersection will operate at LOS F in the am and pm peak hours. A review of the Nolensville ROW information Indicates that there is approximately 70 ft of Right of way on Nolensville at this location.

The developer shall install the following mitigations.

1. Modify existing signal
2. Install a 12 ft wide north bound lane for a minimum distance of 400 ft in advance of Barnes Rd and 250 ft past intersection with transition per AASHTO standards.
3. Install a 12 ft wide south bound through lane for a minimum distance of 600 ft in advance of Celebration Way and 250 ft past intersection with transition per AASHTO standards. Construction plans shall be submitted to locate optimum beginning and ending of this road widening.

***Holt Road / Nolensville Road Intersection***

This is a stop controlled intersection with Holt stopping for Nolensville Road. The Eastbound turn lanes operate at LOS F with a 69 second average delay. Under background traffic conditions the delay increases to 234 sec/veh. With the project, the delay increases to 6979. With the installation of a NB left turn lane and signalization, the LOS is F, with delay of 104 sec/veh.

1. Install NB left turn lane on Nolensville Rd with 75 ft storage and transition per AASHTO standards.
2. Install signal with optimum signal timing .Submit signal plan to Metro engineer for approval.

***Along Lenox Village property frontage on Nolensville Road***

1. Install 2-way left turn lane from Lord's Chapel to access #5 with transition per AASHTO standards.
2. Reserve 1/2 ROW for Nolensville Road U6 classification. (1/2 Of 132 ft)

***Lord's Chapel Way, northernmost access point (access #1)***

The northernmost access point (access 1) to Lenox Village has already been constructed.

1. The pavement shall be striped to provide WB left turn lane and WB right turn lane.
2. No on-street parking shall be allowed for 300 feet from intersection on the north side of access 1 in order to allow adequate storage.
3. Install 12-foot wide southbound (SB) left turn lane on Nolensville Rd with 75 feet of storage length.

***Bradford Hills / Lenox Village Drive and Nolensville Road intersection (access #2)***

The Bradford Hills / Lenox Village Drive and Nolensville Road intersection is currently signalized.

1. Re-stripe WB Lenox Village Dr for left/thru lane and a WB right lane.
2. Install NB right turn lane.
3. Install 150 ft SB left turn lane in 2-way left turn lane.
4. Provide no parking on north side of access road for 200 ft from intersection

***Project access #3, private drive for Commercial***

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #3
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane

***Project access #4***

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #4 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. No on street parking shall be provided for 75 ft from intersection
5. Provide adequate sight distance

***Project access #5***

1. Install separate 11 ft wide WB left turn and right turn lanes and 11 ft wide entering lane for access #5 road
2. Install 12 ft wide SB left turn on Nolensville RD with 75 ft of storage length in 2-way left turn lane
3. Install NB right turn lane
4. Install signal when warranted. Traffic counts and warrant analysis shall be conducted annually and submitted to Metro traffic Engineer for signal approval. Signal plan shall include pedestrian signal and associated ADA standard facilities. Access 5 shall be located opposite school drive
5. Provide adequate sight distance”

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## **XIV. MANDATORY REFERRALS**

15. **2004M-032U-11**  
Aerial Encroachment: Nashville Data Link  
Map 106-06, Various Parcels  
Map 106-10, Various Parcels  
Subarea 11 (1999)  
Segment 1: District 11 (Brown)

District 12 (Gotto)  
District 14 (White)  
District 15 (Loring)  
Segments 2 & 3: District 15 (Loring)  
District 16 (McClendon)  
District 17 (Greer)  
Segment 4: District 34 (Williams)

A request authorizing Nashville Data Link, Inc., to construct, install, and maintain approximately 9.2 miles of fiber optic cable within Davidson County.

**Staff Recommendation** - *Approve with conditions*, including final subject approval by Metro Public Works

**APPLICANT REQUEST** - A request authorizing Nashville Data Link, Inc., to construct, install, and maintain, above and below ground, approximately 9.2 miles of fiber optic cable within Davidson County.

This request consists of four separate segments. Generally: 1) from Lebanon Pike and McGavock Pike east on Lebanon Pike to the Wilson County line (7.01 miles), 2) the vicinity of Arlington Avenue, Elm Hill Pike, Murfreesboro Road and Hill Avenue (0.8 miles), 3) Fessler's Lane, Murfreesboro Road, Crutchfield Avenue and Hill Avenue (1.2 miles) and 4) Lakemont Drive and Franklin Pike (.19 miles).

**DEPARTMENT AND AGENCY COMMENTS** - Although a Council bill has been drafted, the applicant must submit an application, a license agreement, and an insurance certificate. Metro Public Works must approve this proposal prior to approval by the Metro Council. No other responding departments or agencies take exception.

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

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

**Resolution No. 2004 –167**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-032U-11 is **APPROVED WITH CONDITIONS. (8-0)**

**Conditions of Approval:**

1. Although a Council bill has been drafted, the applicant must submit an application, a license agreement, and an insurance certificate. Metro Public Works must approve this proposal prior to approval by the Metro Council. No other responding departments or agencies take exception.”

**16. 2004M-035G-13**  
Map 164, Parcel 64  
Subarea 13 (2003)  
District 33 (Bradley)

A request for easement acquisition for a sewer line and force main at 3461 Hamilton Church Road (20' Temporary and 30' Permanent), Metro Water Services Project No. 04-SL-064A, requested by Metro Water and Sewerage Services.

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - A request for easement acquisition for a sewer line and force main at 3461 Hamilton Church Road (20' Temporary and 30' Permanent), Metro Water Services Project No. 04-SL-064A, requested by Metro Water and Sewerage Services.

**APPLICATION REQUIREMENTS - None**

**DEPARTMENT AND AGENCY RECOMMENDATIONS** - This item is recommended for approval by the Metro Water & Sewerage Services Department, Emergency Communication Center and Nashville Electric Service. Planning staff also supports the request.

Ms. Harris presented and stated that staff is recommending approval.

Mr. Dean Allen, property owner, stated he was unaware this easement acquisition would be on this evening's agenda and requested that the Commission defer this item for 60 days.

Mr. Tom White, legal representation, spoke in favor of the easement acquisition. He stated that the sewer line will serve as good use for the public, not just the owner of this property.

Mr. Ponder requested clarification on the origination of this mandatory referral and whether it would actually be considered good use for the public.

Mr. Nielson requested clarification of the notification process of this proposal.

Mr. Kleinfelter explained this issue to the Commission.

Mr. McLean moved, and Ms. Nielson seconded the motion, which passed unanimously to approve 2004M-035G-13. (8-0)

**Resolution No. 2004 –168**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-035G-13 is **APPROVED. (8-0)**”

- 17.                           2004M-036U-10**  
Map 60-08, Parcel 22.01  
Map 116-08, Parcel 97  
Map 117-14, Parcels 80 and 82  
Subarea 10 (1994)  
District 24 (Summers)

A request for a 15' Drainage Easement Acquisition required for a Stormwater drainage easement at 3932 Cross Creek Road, 3920 Cross Creek Road, 4021 Woodmont, and 3006-A Hillside Road, Metro Water Services Project No. 03-D-0356, requested by Metro Water and Sewerage Services.

**Staff Recommendation** -*Approve*

**APPLICANT REQUEST** - A request for a 15' Drainage Easement Acquisition required for a Stormwater drainage easement at 3932 Cross Creek Road, 3920 Cross Creek Road, 4021 Woodmont, and 3006-A Hillside Road, Metro Water Services Project No. 03-D-0356, requested by Metro Water and Sewerage Services.

**APPLICATION REQUIREMENTS - None**

**DEPARTMENT AND AGENCY RECOMMENDATIONS** - This item is recommended for approval by the Metro Water & Sewerage Services Department, Emergency Communication Center and Nashville Electric Service. Planning staff also supports the request.

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

**Resolution No. 2004 –169**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-036U-10 is **APPROVED. (8-0)**”

- 18.**                           **2004M-037G-02**  
Map 32-9, Parcels 53, 108, 109, 110, 111 and 112  
Subarea 2 (1995)  
District 3 (Hughes)

A request for a 10' Drainage Easement Acquisition for a required Stormwater Drainage Easement at 4728, 4732, 4736, 4740, 4744, and 4800 Indian Summer Drive, Metro Water Services Project No. 03-D-0391, requested by Metro Water and Sewerage Services.

**Staff Recommendation-Approve**

**APPLICANT REQUEST** - A request for a 10' Drainage Easement Acquisition for a required stormwater drainage easement at 4728, 4732, 4736, 4740, 4744, and 4800 Indian Summer Drive, Metro Water Services Project No. 03-D-0391, requested by Metro Water and Sewerage Services.

**APPLICATION REQUIREMENTS** - None

**DEPARTMENT AND AGENCY RECOMMENDATIONS** - This item is recommended for approval by the Metro Water & Sewerage Services Department, Emergency Communication Center and Nashville Electric Service. Planning staff also supports the request.

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

**Resolution No. 2004 –169**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-037G-02 is **APPROVED. (8-0)**”

- 19.**                           **2004M-038G-14**  
Map 86, Parcel 98  
Subarea 14 (1996)  
District 12 (Gotto)

A request for sewer line and easement acquisition (10' Temporary and a 20' Permanent) at Tulip Grove Road (unnumbered), Metro Water Services Project No. 03-SL-166, requested by Metro Water and Sewerage Services.

**Staff Recommendation - Approve**

**APPLICANT REQUEST** - A request for sewer line and easement acquisition (10' Temporary and a 20' Permanent) at Tulip Grove Road (unnumbered), Metro Water Services Project No. 03-SL-166, requested by Metro Water and Sewerage Services.

**APPLICATION REQUIREMENTS** - None

**DEPARTMENT AND AGENCY RECOMMENDATIONS** - This item is recommended for approval by the Metro Water & Sewerage Services Department and Emergency Communication Center.

Nashville Electric Service has recommended that the applicant contact Customer Engineering prior to starting construction so that conflicts that may exist can be addressed.

Planning staff supports the request.

Approve (8-0), *Consent Agenda*

**Resolution No. 2004 –170**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-038G-14 is **APPROVED. (8-0)**”

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**20.**                      **2004M-039G-02**  
Map 41-12, Parcel 3  
Subarea 2 (1995)  
District 3 (Hughes)

A request for abandonment of a 20' sewer and public utility drainage easement at 1100 Bellgrimes Lane, requested by Michael Rippetoe, applicant.

**Staff Recommendation** - *Approve with conditions*

**APPLICANT REQUEST** - A request for abandonment of a 20' sewer and public utility drainage easement at 1100 Bellgrimes Lane, requested by Michael Rippetoe, applicant.

**APPLICATION REQUIREMENTS** - None

**DEPARTMENT AND AGENCY RECOMMENDATIONS** - The Emergency Communication Center and Nashville Electric Service recommend this item for approval.

The Metro Department of Water and Sewer Services recommends conditional approval contingent upon the recording of the associated plat (2004S-149G-02) of the combined parcels.

Planning staff also supports this recommendation.

**CONDITIONS**

1. Prior to third reading at Council, the associated consolidation plat (2004S-149G-02) must be recorded.

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

**Resolution No. 2004 –171**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-039G-02 is **APPROVED WITH CONDITIONS. (8-0)**”

**Conditions of Approval:**

1. Prior to third reading at Council, the associated consolidation plat (2004S-149G-02) must be recorded.”

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**21.**                      **2004M-040U**  
Police Credit Union Sub-station ATM's  
Map 81-02, Parcel 168  
Map 86, Parcel 147  
Map 134, Parcel 145

A request to approve a lease agreement for automatic teller machines located within Metro Police sub stations located at 2221 26th Avenue North, 5101 Harding Place, and 3701 James Kay Lane, requested by MPD Employees Credit Union, applicant for Metro Government and M.D.H.A., owner.

**Staff Recommendation** - *Approve*



**APPLICANT REQUEST** - A request to approve a lease agreement for automatic teller machines located within Metro Police sub-stations located at 2221 26th Avenue North (North Precinct), 5101 Harding Place (South Precinct), and 3701 James Kay Lane (Hermitage Precinct), requested by MPD Employees Credit Union, applicant for Metro Government (South and Hermitage sub-stations) and M.D.H.A. (North sub-station), owners.

Applicant has submitted a copy of the lease agreement. The proposal will not affect land use or inhibit access to existing facilities or properties. Planning staff recommends approval.

**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, Stormwater Management, Public Works, Codes, Emergency Communications Center, and NES.

Approve (8-0), *Consent Agenda*

**Resolution No. 2004 –172**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-040U is **APPROVED. (8-0)**”

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22.                            **2004M-041U-12**  
Map 134, Parcel 63  
Subarea 12 (1997)  
District 26 (Adkins)

A request to authorize the acceptance of a donation of property (4.13 acres) from Habitat for Humanity, Inc. to Metro Parks and Recreation for park purposes, located on the west side of Interstate 24 between Antioch Pike and Paragon Mills Road, requested by Metro Parks and Recreation.

**Staff Recommendation** - *Approve*

**APPLICANT REQUEST** - A request to authorize the acceptance of a donation of property (4.13 acres) from Habitat for Humanity, Inc. to Metro Parks and Recreation for park purposes, located on the west side of Interstate 24 between Antioch Pike and Paragon Mills Road, requested by Metro Parks and Recreation.

This proposal was approved by the Metro Park Board on May 4, 2004. Planning Department staff recommends approval of this request.

**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, Historical Commission, Emergency Communications Center, and NES

Approve (8-0), *Consent Agenda*

**Resolution No. 2004 –173**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-041U-12 is **APPROVED. (8-0)**”

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23.                            **2004M-042G-01**  
Lease Agreement/Tennessee Youth Center  
Map 15, Parcels 21-01 and 24  
Subarea 1 (1997)  
District 1 (Gilmore)

A request to authorize Metro Government to enter into a lease agreement with the State of Tennessee for property known as the Tennessee Youth Center, for use as a public park and related uses, located at 3000 Morgan Road (102.8 acres), by Metro Finance Department, applicant, State of Tennessee, owner.

**Staff Recommendation** - *Approve with a condition*

**APPLICANT REQUEST** - A request to authorize Metro Government to enter into a 25-year lease agreement with the State of Tennessee for property in Joelton known as the Tennessee Youth Center, for use as a public park and related uses, located at 3000 Morgan Road (102.8 acres), by Metro Finance Department, applicant, State of Tennessee, owner.

**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 Historical Commission, Parks and Recreation, Stormwater Management, Water Services, Public Works, Codes, Emergency Communications Center, and NES.

Planning staff recommends approval on condition that a copy of the lease agreement is submitted to be included in the permanent Mandatory Referral file.

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

**Resolution No. 2004 –174**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-042G-01 is **APPROVED WITH CONDITIONS. (8-0)**

**Conditions of Approval:**

1. Planning staff recommends approval on condition that a copy of the lease agreement is submitted to be included in the permanent Mandatory Referral file.

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**XV. OTHER BUSINESS**

24. Set Public Hearing for Fee Changes in the Subdivision Regulations

**Mr. Loring moved and Ms. Nielson seconded the motion, which passed unanimously, to set June 24, 2004, as the public hearing date for Fee Changes in the Subdivision Regulations. (8-0)**

25. Election of Officers/Annual Meeting

**Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously, to maintain the current officer status of the Commission for the upcoming year. (8-0)**

The Officers are as follows:

James Lawson, Chairman

Doug Small, Vice-Chairman

Ms. Nielson will continue to serve on the Historical Committee.

Mr. Lawson will continue to serve on the Parks Committee.

Mr. Clifton will continue to serve on the MPO.

**Mr. Loring moved, and Mr. McLean seconded the motion, which passed unanimously to re-adopt the Rules and Procedures of the Commission. (8-0)**

26. Resolution by Councilmember Ludye Wallace requesting the Planning Commission to cease holding public hearings on amendments to the Metro Official Zoning Map.

**Mr. Ponder moved and Mr. Clifton seconded the motion, which passed unanimously to defer this item indefinitely. (8-0)**

27. Employee contract for Richard C. Bernhardt

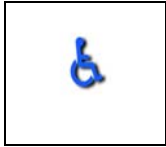
Approved, (8-0) *Consent Agenda*

28. Executive Director Reports

29. Legislative Update

**XVI. ADJOURNMENT**

The meeting adjourned at 6:10 p.m.



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Chairman

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Secretary