



**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 8, 2003

Location: Howard School Building
Time: 4:00 pm

Commissioners in attendance:

James Lawson, Chairman
Doug Small, Vice Chairman
Stewart Clifton
Judy Cummings
Tonya Jones
Councilman John Summers
Joe Sweat, representing Mayor Bill Purcell
Victor Tyler

Absent:

James McLean
Ann Nielson

Also Present:

Councilman Tony Derryberry
Councilman Phil Ponder
Councilman Jim Shulman
Councilman Ron Turner
Councilman Edward Whitmore

Staff Present:

Ann Hammond, Asst. Director
David Kleinfelter, Planning Manager II
Kathryn Fuller, Planner II
Bob Leeman, Planner III
Preston Mitchell, Planner II
Randy Reed, Planner I
Marie Cheek, Planning Technician I
Brook Fox, Legal Counsel
Leslie Thompson, Office Support Rep II
Chris Wooton, Planning Technician I
Marty Sewell, Planner II
Anita McCaig, Planner II
Brian Wallace, Planner II
Cynthia Wood, Planner III

I. CALL TO ORDER

Meeting called to order at 4:12 pm.

II. ADOPTION OF AGENDA

Councilman Summers moved and Mr. Small seconded the motion, which unanimously passed, to adopt the agenda. (8-0)

II. APPROVAL OF APRIL 10, 2003 AND APRIL 24, 2003 MINUTES

Withdrawn from Agenda.

IV. RECOGNITION OF COUNCILMEMBERS

Councilman Shulman
Councilman Ponder
Councilman Turner

Councilman Whitmore – Spoke in support of 2001P-005U-10, Fifth Third Bank, and 2002M-056U-08.
Councilman Derryberry – Subarea Plan consideration.

V. OTHER BUSINESS

a. Executive Director Reports

b. Antioch/Priest Lake Community Plan: 2003 Update

A request by Planning Department staff for consideration and adoption of the Antioch/Priest Lake Community Plan: 2003 Update. **Deferred to meeting of June 12, 2003 (8-0).**

c. Employee Contract for Adriane Bond

Approved (8-0), Consent Agenda.

d. Intern Contract for Jeremy Weber

Approved (8-0), Consent Agenda.

e. Legislative Update

Executive Secretary Richard Bernhardt arrived at 4:20pm.

VI. PUBLIC HEARING: ANNOUNCEMENT OF DEFERRED AND WITHDRAWN ITEMS

At the beginning of the meeting, staff listed the following items as deferred:

V. b. Antioch/Priest Lake Community Plan: 2003 Update

A request by Planning Department staff for consideration and adoption of the Antioch/Priest Lake Community Plan: 2003 Update.

Commissioners have requested deferral until June 12, 2003, meeting to allow time for a pre-meeting to discuss.

Ms. Cummings moved to and Mr. Small seconded the motion, which unanimously passed, to defer until June 12, 2003 meeting.

3. 2003Z-051G-06 CL to CS, Highway 100 (unnumbered)

Mr. Small moved and Ms. Cummings seconded the motion, which unanimously passed, to close the public hearing and defer the above items.

VII. PUBLIC HEARING: CONSENT AGENDA

c. Employee contract for Adriane Bond

d. Intern Contract for Jeremy Weber

2. 2003Z-049U-10

6. 2001UD-001G-12

7. 210-73-G-14

8. 2000P-005U-10

9. 2001P-005U-10

10. 91-71-G-14

Mr. Small moved and Ms. Jones seconded the motion, which unanimously passed, to approve above items on consent agenda. (8-0)

[Note: The staff report and formal Commission resolution approving each of the items on the consent agenda can be found below in the order in which the item appeared on the Commission agenda.]

VIII. PUBLIC HEARING: ZONING MAP AMENDMENTS

1. 2003Z-047U-13

Map 149, Parcels 78, 80, 81, 82, 83 and 84
Subarea 13 (1996)
District 28 (Alexander)

A request to change from R8 district to MUL, CS, and RM20 districts properties at 2526, 2534, 2540, 2548 Murfreesboro Pike, and Murfreesboro Pike (unnumbered), south of Edge-O-Lake Drive, (12.87 acres), requested by Mark Marshall of Marshall Development Company, for Howard W. Anderson, George Anton, Dion Ribo, Shirley Haskell Griggs, and L. O. Crowder, owners.

Staff Recommendation - *Disapprove as contrary to the General Plan.* The MUL, RM20, and CS districts do not implement the intent of the new Subarea 13 plan without an associated overlay district showing, in detail, how the proposed districts will relate to the adjacent, existing, residential neighborhood. The CS district is not consistent with any of the policies within the Subarea 13 Plan.

APPLICANT REQUEST - Rezone 12.87 acres, including 3.74 acres from residential (R8) to mixed use limited (MUL), 5.42 acres residential multi-family (RM20), and 3.71 acres commercial services (CS) at 2526, 2534, 2540, 2548 Murfreesboro Pike, and Murfreesboro Pike (unnumbered).

Existing Zoning - R8 district - R8 zoning is intended for single-family homes and duplexes on 8,000 sq. ft. lots.

Proposed Zoning - MUL district - MUL zoning is intended for moderate intensity mixture of residential, retail, and office uses.

RM20 district - RM20 zoning is intended for multi-family residential with a maximum density of 20 dwelling units per acre. The proposed area would permit 108 multi-family units. It also allows for single-family and duplex lots with minimum lot sizes of 3,750 square feet. RM20 allows a maximum height of 3 stories for single-family and 3 stories for multi-family at the setback line.

CS district - CS zoning is intended for a wide range of commercial uses including retail, restaurant, office, mini-storage warehouse, light-manufacturing, auto-repair, and vehicular sales.

SUBAREA 13 PLAN POLICY

Mixed Use (MU) - MU policy is designed to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Land uses found in this category include residential, office, commercial, recreational, cultural, and community facilities.

Residential Medium High (RMH)-RMH is designed and intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. Good access, with direct or indirect access to a collector or arterial is recommended. Indirect access should not be through lower density areas.

Residential Medium (RM) and Residential Low Medium (RLM) - (Old Subarea 13 Policy) - RM policy is intended for residential development at a density of four to nine dwelling units per acre. A variety of housing types are appropriate, however, the most common types include compact, single-family detached units, town-homes, and walk-up apartments. RLM policy is intended for residential development at two to four dwelling units per acre.

Policy Conflict - Yes. The MUL, CS, and RM20 districts are inconsistent with the current and proposed Subarea 13 Plan. The proposed plan states: *“Mixed-use areas should be developed in accordance with a coherent plan or overall working concept of the desired end.....Plans including an architectural and/or design review component, such as some type of historic or special district overlay, are appropriate to help ensure compatible development and protection of valuable existing resources.”*

The proposed CS district is inconsistent with both the existing RM and RLM policies of the old Subarea 13 Plan, and the proposed MU and RMH policies of the proposed Subarea 13 Plan.

RECENT REZONINGS - Yes. On December 6, 2001, the Planning Commission recommended disapproval as contrary to the General Plan a request (2001Z-104U-13) to rezone properties directly north of the current proposal from R8 to MUL finding it inconsistent with the Subarea 13 Plan. However, Metro Council subsequently approved the request for MUL.

TRAFFIC - Based on typical uses in MUL, CS, and RM20 districts approximately 8,526 vehicle trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996) Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings - We accept the conditions presented in the TIS as follows:

1. The site 1 access approach will include one lane for left turning movements, one lane for right turning movements, and one entrance lane.
2. At Murfreesboro Pk/Dover Glenn/Site 2 access, the Site 2 access road will include one lane for left turning and through movements, one lane for right turning movements, and one entrance lane. The traffic signal will be modified by the developer to accommodate the Site 2 access and to include a southbound left turn phase.

Our additional conditions are as follows:

3. The RM20 property will be required to use the existing connecting streets (Lakevilla Dr. and Cedar Springs Dr.). No access to Murfreesboro Rd will be granted.
4. The MUL and CS property will be allowed access to Murfreesboro Rd. with the stipulation that when the adjacent properties are developed, they will have shared access to the access drive of Site 2 across from Dover Glenn Dr.

Planning Staff Comments - If a council bill is requested, it should include the traffic conditions, above.

SCHOOLS

Students Generated* 19 Elementary 13 Middle 11 High

Schools Over/Under Capacity - Students will attend Lakeview Elementary School, Kennedy Middle School, and Antioch High School. All three schools have been identified as being overcrowded by the Metro School Board.

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

Mr. Leeman stated that staff recommends disapproval as contrary to the General Plan.

Ms. Karen Johnson, resident, spoke with questions on reasons for rezoning, and asks for disapproval.

Ms. Vivian Wilhoyt, resident, requested disapproval of zone change due to traffic issues.

Ms. Cummings moved and Mr. Small seconded motion, to disapprove as recommended by staff, which unanimously passed.

Resolution No. 2003-154

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2003Z-047U-13 is **DISAPPROVED (8-0)** as contrary to the General Plan:

The proposed MUL, RM20 and CS districts are not consistent with the Subarea 13 Plan’s Residential Medium (RM) policy along Murfreesboro Pike calling for residential development at four to nine dwelling units per acre, or the Residential Low Medium (RLM) policy calling for two to four dwelling units per acre at the rear of the property. This proposal is also not consistent with the draft Subarea 13 Plan’s Mixed-Use (MU) and Residential Medium High (RMH) policies without an associated overlay district showing, in detail, how the proposed districts will relate to the adjacent, existing, residential neighborhood.”

2. 2003Z-049U-10

Map 117-9, Parcels 25-29, 72-74, 109-112,
115-120 and 122-124
Subarea 10 (1994)
District 25 (Shulman)

A request to change from R20 and RS40 districts to RS20 district properties at 3604, 3605, 3609, 3701, 3704, 3705, 3709, 3713 Sycamore Lane, 2703, 2705, 2707, 2808, 2809, 2813, 2816, 2820 Valley Brook Place, and 3703, 3705, 3707, 3709, 3711 Hilldale Drive, at the intersection of Valley Brook Place and Hilldale Road, (12.98 acres), requested by Councilmember Jim Shulman, applicant, for various properties owners.

Staff Recommendation - Approve

APPLICANT REQUEST - Zone 12.98 acres from Residential (R20) and (RS40) to Residential Single-Family (RS20) at 3604, 3605, 3609, 3701, 3704, 3705, 3709, 3713 Sycamore Lane, 2703, 2705, 2707, 2808, 2809, 2813, 2816, 2820 Valley Brook Place, 3703, 3705, 3707, 3709, 3711 Hilldale Drive, at the intersection of Valley Brook Place and Hilldale Road.

Existing Zoning - R20 zoning - R20 zoning is intended for single-family homes and duplexes on 20,000 sq. ft. lots.

R40 zoning - R40 zoning is intended for single-family homes and duplexes on 40,000 sq. ft. lots.

Proposed Zoning - RS20 zoning - RS20 zoning is intended for single-family homes at 1.85 units per acre.

SUBAREA 10 PLAN POLICY - Residential Low (RL) - RL policy calls for residential development at 1 to 2 dwelling units per acre.

Policy Conflict - None. The Subarea 10 Plan designates this area within the Residential Low Medium (RLM) policy calling for 2 to 4 dwelling units per acre and Residential Low (RL) policy calling for 1 to 2 dwelling units per acre. While these policies can include duplexes, the plan's intent is to preserve the existing single-family character. The plan calls for future zoning decisions to maintain the existing densities and predominant housing types. This proposal limits the number of duplexes to the existing number (1) and prohibits new duplexes. The existing duplex will be considered legally non-conforming.

RECENT REZONINGS -None

TRAFFIC - No new traffic will be created by this zone change request.

Traffic Engineers Comments - No exception taken

SCHOOLS - The change from R20 and R40 to RS20 district will not increase the amount of students

generated by this rezoning. Since the RS20 district restricts dwelling units to single-family residences, no more development can occur than what exists, with the exception of one undeveloped lot.

Approved (8-0), Consent Agenda.

Resolution No. 2003-155

"BE IT RESOLVED by the Metropolitan Planning Commission that Zone Change Proposal No. 2003Z-049U-10 is **APPROVED (8-0)**:

The proposed RS20 district is consistent with the Subarea 10 Plan’s Residential Low (RL) policy calling for up to two dwelling units per acre. While this policy can include duplexes, the plan’s intent is to preserve the existing single-family character.”

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3. **2003Z-051G-06**
Map 169, Parcel 55
Subarea 6 (2003)
District 35 (Tygard)

A request to change from CL district to CS district property at Highway 100 (unnumbered), abutting the southern margin of Highway 100, (0.51 acres), requested by D. E. Ryan, owner.

Deferred until May 22, 2003 meeting at the request of the applicant. (8-0)

IX. PRELIMINARY SUBDIVISION PLATS

4. **2003S-074G-12**
Preston Road Subdivision
Map 174, Parcels 1, 2 and 192
Subarea 12 (1997)
District 31 (Knoch)

A request for preliminary plat approval for a 408 lot cluster subdivision abutting the west margin of Preston Road, approximately 1,346 feet southwest of Cane Ridge Road, (145 acres), classified within the RS10 and RM15 districts, requested by Charlie B. Paul, owner/developer, Dale and Associates, Inc., surveyor.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide 145 acres into a 408-lot cluster subdivision, located at the southern terminus of Hickory Park Drive and the west margin of Preston Road.

ZONING - RS10 Zoning - RS10 district is a single-family district requiring a minimum lot size of 10,000 square feet.

CLUSTER LOT OPTION - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots).

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 successfully complies with this requirement by proposing a total of 47.34 acres (36.45%) of open space – which exceeds the minimum open space acreage required.

SUBDIVISION DETAILS - Critical Lots - A portion of the property is within the Mill Creek floodplain. Approximately 39.44 acres is located within the floodplain and floodway. Approximately 24.85 acres (63%) is to remain undisturbed. Approximately 74 of the lots are within the floodplain and will have a finished floor elevation of 4 feet about the 100-Year Flood Elevation of 525 feet.

Greenway Easement - The developer will dedicate the Mill Creek floodway and 75 feet of the floodplain on the property as a conservation/greenway public access trail easement area for the future Mill Creek greenway. This conservation area is to remain in an undisturbed natural state, excluding the installation of a trail by the Greenways Commission.

Access - The access to this subdivision will be through the existing Hickory Park Drive, as was required by the zoning bill.

Other traffic related conditions required by the zoning bill that will be applied when future development applications are brought forth are as follows:

1. Prior to the recordation of any final plat that includes buildable lots with access to Cane Ridge Road, that road shall be widened to Major Street Plan Standards (currently U4) from the northern portion of parcel 168 on tax map 174 to the Cane Ridge Road/Preston Road intersection, or such road improvements shall be bonded;
2. Prior to the recordation of any final plat that includes buildable lots with access to Cane Ridge Road or Preston Road, the Cane Ridge Road/Preston Road intersection shall be reconstructed to a 90-degree intersection, or such intersection improvements shall be bonded; and
3. Prior to the recordation of any final plat that includes buildable lots with access to Preston Road, that road shall be widened to metro standards for a local road (23 feet of pavement) from the intersection of Preston Road and Cane Ridge Road to the southern frontage of parcel 001 on tax map 174, or such road improvements shall be bonded.

School Site - A condition of the zoning bill was that the developer offer a school site for dedication to the Metro Board of Education prior to final plat recordation. The applicant has begun talks with the board and has preliminarily set aside 10 acres on Preston Road as an elementary school site.

Public Works Recommendation - To be received prior to the Planning Commission meeting on May 8, 2003.

CONDITIONS

1. Performance bonds must be posted to secure the satisfactory construction of public improvements prior to the recording of the final plat.
2. All areas designated to be undisturbed must be fenced off prior to the issuance of any grading permits.
3. A corrected preliminary plat needs to be submitted by May 8, 2003, that shows the greenway labeled as a dedicated conservation/greenway public access trail easement area.
4. Prior to any final plat recordation, confirmation shall be received from the Metro Board of Education that a school site has been dedicated or that they do not require a school site on this particular property.
5. A favorable recommendation from the Metro Traffic Engineer must be received prior to the Planning Commission meeting.

6. Should the Metro Board of Education accept a dedication of the school site, the applicant must provide a pedestrian connection from the subdivision to the school site.

Ms. Fuller stated that staff recommends approval with conditions.

Ms. Cummings moved and Ms. Jones seconded the motion, to approve staff recommendation.

Mr. Sweat asked about location of floodplain and stormwater requirements.

Mr. Small asked about cluster lot requirements.

Mr. Bernhardt commented on property dedicated for a school site.

Mr. Small discussed concerns about the requirement for off-site sidewalks.

Additional discussion between commissioners about walking traffic due to sidewalks in subdivision.

Mr. Clifton moved and Ms. Cummings seconded the motion, to amend the motion to approve staff recommendation to include a condition that sidewalks would be revisited when final plat is reviewed.

Resolution No. 2003-156

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2003S-074G-12, is **APPROVED (8-0), WITH THE PROVISION THAT THE REQUIREMENT TO INSTALL OFF-SITE SIDEWALK TO BELL ROAD WILL BE REVISITED BY PUBLIC WORKS AND METRO PLANNING PRIOR TO APPROVAL OF FINAL PLAT.**

Conditions of approval:

1. Performance bonds must be posted to secure the satisfactory construction of public improvements prior to the recording of the final plat.
2. All areas designated to be undisturbed must be fenced off prior to the issuance of any grading permits.
3. A corrected preliminary plat needs to be submitted by May 8, 2003, that shows the greenway labeled as a dedicated conservation/greenway public access trail easement area.
4. Prior to any final plat recordation, confirmation shall be received from the Metro Board of Education that a school site has been dedicated or that they do not require a school site on this particular property.
5. A favorable recommendation from the Metro Traffic Engineer must be received prior to the Planning Commission meeting.
6. Should the Metro Board of Education accept a dedication of the school site, the applicant must provide a pedestrian connection from the subdivision to the school site.”

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5. **2003S-101G-14**
Monticello
Map 87, Parcel 9
Subarea 14 (1996)
District 12 (Ponder)

A request for preliminary plat approval for 39 lots abutting the south margin of Old Lebanon Dirt Road, approximately 1,270 feet east of Tulip Grove Road (13.97 acres), classified RS15 district, requested by

Thurman Williamson, owner/developer, Wamble and Associates, PLLC, surveyor.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide 13.97 acres into a 39-lot cluster subdivision, located on the south margin of Old Lebanon Dirt Road, approximately 1,270 feet east of Tulip Grove Road.

ZONING - RS15 Zoning - RS15 district is a single-family district requiring a minimum lot size of 15,000 square feet.

CLUSTER LOT OPTION - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 10,000 sq. ft. lots) to RS7.5 (minimum 7,500 sq. ft. lots). The proposed lots range in size from 5,068 square feet to nearly 11,654 square feet.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant successfully complies with this requirement by proposing a total of 4.39 acres (31%) of open space – which exceeds the minimum open space acreage required.

SUBDIVISION DETAILS - A PUD, Parkway Village, was proposed for this property for the February 13, 2003 Planning Commission agenda. Parkway Village utilized some elements of tradition neighborhood design, such as homes fronting Old Lebanon Dirt Road. It was deferred indefinitely due to lack of community support.

This proposal has been submitted in an effort to continue the existing development pattern on the area- with a buffer yard between homes and the exterior roads, with the homes fronting on the interior road. Although the subdivision regulations discourage double frontage lots, there is a precedent for that development pattern already at nearby Jackson's Grove.

There are stub streets to the west and the south to allow for street connections as land develops. Because of topographical constraints the temporary turnarounds will not be constructed at the property line to alleviate the need for off-site grading, however, the right-of-way for the future connection will be dedicated with the final plat.

A 5-foot right of way dedication as well and the construction of new curb, gutter and sidewalk along the south side of Old Lebanon Dirt Road is included as a requirement of the development.

Public Works Recommendation - No exception taken. Although no curve data were supplied, when a street approach to an intersection is curved, there must be a 100-ft. minimum curve tangent, as measured from the ultimate edge of pavement. The approach to Old Lebanon Dirt Road does not appear to have this minimum curve tangent, as required by section 2-6-.1. H (4). However, due to the short road segment, traffic is not likely to approach the intersection at high speeds.

Traffic Engineer Recommendation - Old Lebanon Dirt Pike is substandard and that there is undeveloped property adjacent to the site. This plan shows stub streets to connect with future development. A condition be added that requires all roadways (except for the cul-de-sac) be developed with collector cross-section and right-of-way.

CONDITIONS

1. Performance bonds must be posted to secure the satisfactory construction of public improvements prior to the recording of the final plat.
2. A revised plat shall be submitted prior to the meeting that shows the following:
 - a. The correct FEMA map- 47037C, Panel 254.
 - b. A purpose note.

- c. The standard preliminary note- “This drawing is for illustrative purposes only to indicate the basic premise of development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.
- d. All roads except for the cul-de-sac shall be shown at collector standards.

Ms. Fuller stated that staff recommends approval with conditions.

Councilmember Ponder spoke in favor of development, asking that tree line be kept along Old Lebanon Dirt Rd.

Mr. Thurman Williamson answered questions on specifics of project.

Mr. Graham Reed, resident of Old Lebanon Dirt Rd., spoke in favor of development and asked for approval.

Mr. Summers moved, and Mr. Seconded the motion, to approve the staff recommendations with the additional condition that the sidewalk required be constructed along Old Lebanon Dirt Road may be located within a public sidewalk easement as part of the required adjacent 30’ Type C buffer yard if necessary to preserve the specific trees (as noted by the Urban Forester) that are currently part of the existing tree line along Old Lebanon Dirt Road.

Resolution No. 2003-157

“BE IT RESOLVED by the Metropolitan Planning Commission that Subdivision No. 2003S-101G-14, is **APPROVED WITH CONDITIONS (8-0), INCLUDING ADDITIONAL RECOMMENDATION AS MADE BY THE SECRETARY OF THE PLANNING COMMISSION TO ALLOW SIDEWALK ON OLD LEBANON DIRT ROAD TO BE LOCATED WITHIN REQUIRED BUFFER YARD.**

Conditions of approval:

1. Performance bonds must be posted to secure the satisfactory construction of public improvements prior to the recording of the final plat.
2. A revised plat shall be submitted prior to the meeting that shows the following:
 - a) The correct FEMA map- 47037C, Panel 254.
 - b) A purpose note.
 - c) The standard preliminary note- “This drawing is for illustrative purposes only to indicate the basic premise of development. The final lot count and details of the plan shall be governed by the appropriate regulations at the time of final application.
 - d) All roads except for the cul-de-sac shall be shown at collector standards.”

X. PLANNED UNIT DEVELOPMENTS (revisions & amendments)

6. **2001UD-001G-12**
 Lenox Village, Phase E
 Map 172, Portion of Parcel 89
 Subarea 12 (1997)
 District 31 (Knoch)

A request for final plan approval for a phase of the urban design overlay district located on the east margin of Nolensville Pike, opposite Bradford Hills Drive, classified RM9, (8.9 acres), to permit 30 townhouses and 19 single-family lots, requested by Anderson-Delk & Associates, Inc., for Lenox Village I, LLC, owner.

Staff Recommendation - Approve Phase E; which is consistent with the UDO design concept plan.

APPLICANT REQUEST - Approval of final construction plans for Phase E in order to permit development of 30 townhouses and 19 single family homes.

Existing Zoning - RM9 zoning with a UDO - Mixed housing type residential development in accordance with a design concept plan and design guidelines.

Proposed Zoning - N/A

SUBAREA 12 PLAN POLICY - Residential Medium Density (RM)

Policy Conflict - No. The RM9 zoning and UDO are consistent with the RM policy

RECENT REZONINGS - No.

TRAFFIC

Traffic Study Submitted No – none required.

Metro Traffic Engineer’s Findings - Approve.

STAFF ANALYSIS - This phase was deferred indefinitely at the February 27, 2003 meeting in order to work out grading and road alignment issues. The UDO concept plan calls for St. Danasus Drive to eventually be extended to adjoining property to the east, but to do so would result in a road connection requiring excessive grading. An alternative connection has been provided via the extension of Chovanec Drive in Phase H. Other street and alley connections internal to Lenox Village have also been made to better adjust the development to topographic conditions of the site.

Approved (8-0) subject to revision of the landscaping plan for Phase E in the common area fronting the townhouses in order to reduce grades in seeded areas and to add groundcover plantings on steeply sloped areas. (Consent Agenda)

Resolution No. 2003-158

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001UD-001G-12 is **APPROVED (8-0), SUBJECT TO REVISION OF THE LANDSCAPING PLAN FOR PHASE E IN THE COMMON AREA FRONTING THE TOWNHOUSES IN ORDER TO REDUCE GRADES IN SEEDED AREAS AND TO ADD GROUNDCOVER PLANTINGS ON STEEPLY SLOPED AREAS.**”

- 7. **210-73-G-14**
 Deloitte and Touche
 Map 97, Parcel 120
 Subarea 14 (1996)
 District 12 (Ponder)

A request for a revision to the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development located abutting the south margin of Interstate 40 at the western terminus of Sells Drive, classified CL, (17.93 acres), to permit a new rear entrance to the employee parking lot off Hermitage Park Lane and a new disaster relief bunker at the rear of the site, requested by Gresham-Smith and Partners, for Deloitte and Touche, owner.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST

Preliminary PUD Revised Preliminary Revised Preliminary & Final PUD

Final PUD Amend PUD Cancel PUD

Two Separate Requests:

1. Request for final PUD approval to allow for the development of a new rear parking area entrance with gated access off of Hermitage Park Lane.
2. Request for revision to the preliminary and for final PUD approval to allow for the development of a 351 square foot disaster relief bunker, to be located in the southeast corner of the parking lot area.

The property is located just south of Interstate 40 and east of Old Hickory Boulevard, in the Hermitage area.

PLAN DETAILS - The originally-approved PUD plan only allowed for one access point off of Sells Drive. The PUD was amended on January 9, 2003, and ultimately approved by Metro Council on March 21, 2003 (BL2003-1318). The amendment proposed an extension of Hermitage Park Lane into the PUD parking area with a new cul-de-sac constructed at its terminus. The extension allows for a new, gated, access point for the Deloitte & Touche office site. The final PUD plan, as submitted, is consistent with the amended plan.

The current PUD plan allows for the development of 390,515 square feet of commercial. Build-out of the site has only reached 156,550 square feet for commercial construction. The addition of 351 square feet will bring that number to 156,901 square feet. Based on the proposed location of the bunker in relation to the rest of the built area and parking area – in addition to the fact that current parking (782 parking spaces) is more than adequate for such a small addition to the site – staff recommends approval of the proposed revision to the PUD. The bunker will be located – at its shortest – 66 feet from the side property line.

TRAFFIC ENGINEER’S FINDINGS - Approve

CONDITIONS

1. A note must be added to the Disaster Relief Bunker plan, as prepared by GS&P, which states that any new lighting must be installed so as to not create a visual nuisance for the abutting residential property east of this site.
2. A final plat needs to be recorded before the issuance of any building permits.
3. Before the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of final approval of this proposal to the Planning Commission.
4. 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.
5. 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.
6. 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.
7. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

Approved with conditions (8-0), Consent Agenda

Resolution No. 2003-159

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 210-73-G-14 is **APPROVED (8-0) WITH CONDITIONS**

Conditions of approval:

1. A note must be added to the Disaster Relief Bunker plan, as prepared by GS&P, which states that any new lighting must be installed so as to not create a visual nuisance for the abutting residential property east of this site.
2. A final plat needs to be recorded before the issuance of any building permits.
3. Before the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of final approval of this proposal to the Planning Commission.
4. 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.
5. 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.
6. 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.
7. 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.”

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- 8. 2000P-003G-06**
Riverwalk Community, Phase Two
Map 126, Parcels 47, 47.01 and 48
Subarea 6 (2003)
District 23 (Bogen)

A request for final approval for Phase Two of the Planned Unit Development located abutting the north margin of Newsom Station Road, south of the Harpeth River, classified RS15, (52.87 acres), to permit the development of 154 single-family lots, requested by Civil Site Design Group, for Riverwalk Development Partners, owner.

Staff Recommendation - *Approve with Conditions*

APPLICANT REQUEST

Preliminary PUD Revised Preliminary Revised Preliminary & Final PUD

Final PUD Amend PUD Cancel PUD

Permit the development of 154 single-family lots (phase 2) on a 52.87-acre portion of the 150.71-acre section of the Riverwalk Community residential subdivision located north of the CSX railroad tracks and south of the Harpeth River. The entire 150-acre section of this PUD includes phases two, three, and four. This request for final PUD approval is only for phase two. Proposed lots will range in size from 5,445 square feet to 21,450 square feet. Property located north of Newsom Station Road.

PUD / PLAN DETAILS

History - On March 15, 2001, the Planning Commission approved a revision to the preliminary plan and for final approval of phase 1 – which is the section of the PUD located south of the CSX railroad tracks and along Newsom Station Road.

On October 10, 2002, phase 2 received final PUD approval, but in January of this year, the applicant amended the PUD before Metro Council to add seven single-family lots to the phase 2 plan. Although the plan was amended to add lots, the overall design did not significantly change.

Proposed Plan - This plan reflects the amended phase 2 plan, which was approved by the Planning Commission on January 23, 2003. The applicant received a variance with the March 15, 2001, revision to the preliminary plan to place sidewalks on one side of the new streets. This was granted in conjunction with a dedicated conservation / greenway public access trail easement, and the construction of the trailhead from Newsom Station Road through phase 1 of the development.

TRAFFIC ENGINEER’S FINDINGS - Approve

CONDITIONS

1. An opaque fence must be provided behind all lots within the open space area that directly abuts the railroad tracks.
2. A striped crosswalk must be provided at the following locations:
 - a) Across Road 119 at the northern base of the bridge.
 - b) Behind the proposed landscape island on Road 121, just before the intersection of Roads 121 and 119.
 - c) Across Road 120 adjacent to both greenway trailhead locations within Phase 2.
3. A final plat needs to be recorded before the issuance of any building permits.
4. Before the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of final approval of this proposal to the Planning Commission.
5. 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.
6. 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.
7. 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.
8. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

Approved with conditions (8-0), Consent Agenda

Resolution No. 2003-160

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2000P-003G-06 is **APPROVED (8-0), WITH CONDITIONS**

Conditions of approval:

1. An opaque fence must be provided behind all lots within the open space area that directly abuts the railroad tracks.
2. A striped crosswalk must be provided at the following locations:
 - a) Across Road 119 at the northern base of the bridge.
 - b) Behind the proposed landscape island on Road 121, just before the intersection of Roads 121 and 119.
 - c) Across Road 120 adjacent to both greenway trailhead locations within Phase 2.
3. A final plat needs to be recorded before the issuance of any building permits.
4. Before the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of final approval of this proposal to the Planning Commission.
5. 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.
6. 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.
7. 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.
8. 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.”

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9. **2001P-005U-10**
 Fifth Third Bank (formerly Residence Inn by Marriott)
 Map 104-6, Parcels 58, 59 and 60
 Subarea 10 (1994)
 District 21 (Whitmore)

A request to amend the preliminary plan of the undeveloped Planned Unit Development located abutting the south margin of Murphy Road and the east margin of Murphy Court, classified ORI, (1.46 acres), to permit the development of a two story 11,300 square foot bank to replace a 89,507 square foot 123 room 6-story hotel, requested by Barge, Waggoner, Sumner and Cannon, for Moore and Associates, Inc., owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

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

This request is to amend the preliminary plan to allow a two-story, 11,300 square foot bank with 5 drive-thru windows at 3415, 3417, and 3419 Murphy Road.

Existing Zoning - ORI/PUD/Urban Zoning Overlay - The property is zoned ORI allowing for office and residential uses, and falls within the Urban Zoning Overlay (UZO). The existing PUD was approved by the

Planning Commission and Metro Council in 2001, and called for an 89,507 square foot, 123 room, and 6-story hotel.

PLAN DETAILS - The proposed 11,300 square foot bank includes a full access driveway on Murphy Court, a right-in/right-out driveway on Murphy Road, and a full access driveway onto Alley #1138 on the eastern side of the property. Since this plan alters the basic development concept of the PUD, an amendment is required. The Planning Commission will make a recommendation to the Metro Council on the amended plan.

The proposed plan changes the use, the building layout, access points, and the parking configuration. However, the building still fronts Murphy Road and is consistent with the intent of the Urban Zoning Overlay to have the building brought to the street.

Although this plan changes the overall design and concept, staff is still maintaining the previously approved conditions relating to building size, building materials and signage (see below).

Traffic Engineer's Findings - Approval with conditions, including the following:

[Public Works has] reviewed the TIS, dated April 2003, that was submitted for the Fifth Third Bank on Murphy Road. They recommend the following conditions to mitigate the traffic impact of this project:

1. A median shall be installed on Murphy Road to prevent left turns into project access drive. Right turn in and right turn out only will be allowed.
2. The left turn lane on Murphy Rd to Murphy Ct will be striped to provide 65 feet of storage without decreasing any storage lane length of the Murphy Rd left turn lane at West End Ave. AASHTO standards will be applied.
3. All required signage for the site will be installed by the developer.

CONDITIONS

1. Prior to the issuance of any building permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works and Water Services.
2. At a minimum, the façade of the structure shall be red brick on the first-floor, including the rear and all sides of the building at the first floor level.
3. One double-faced, ground mounted sign, not exceeding 6-feet in total height and 30 square feet in sign area, shall be permitted on Murphy Road. The sign shall be supported by a solid base of brick. The brick shall be of the same color used on the structure's façade as provided in condition No. 2, above.
4. Two wall-mounted signs shall be permitted on the building's facades. No pole-mounted sign(s) shall be permitted anywhere within the boundary of the PUD.
5. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
6. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any bonds for necessary improvements. A PUD boundary plat shall also be submitted in conjunction with the final plat.
7. Any future revisions to the plan may not increase the Floor Area Ratio (FAR) or building height over that approved on the original preliminary PUD plan from 2001 (1.74 FAR, while ORI allows an FAR of up to 3.0); and 6-stories in height, while this site could be developed at up to 10 stories under ORI).

8. Any future use in the ORI district shall be limited to a .75 FAR and consistent with the Urban Zoning Overlay.
9. A PUD amendment, requiring Council action, shall be required if any use is added to this site that would create an FAR of greater than 1.74 for the entire site.
10. A median shall be installed on Murphy Road to prevent left turns into project access drive. Right turn in and right turn out only will be allowed.
11. The left turn lane on Murphy Rd to Murphy Ct will be striped to provide 65 feet of storage without decreasing any storage lane length of the Murphy Rd left turn lane at West End Ave. AASHTO standards will be applied.
12. All required signage for the site will be installed by the developer.

Mr. Leeman stated that staff recommends approval with conditions.

Councilman Summers asked about traffic flow on Murphy Rd.

Bill Lockwood, BWSC, representing developers, spoke in depth with a presentation of traffic conditions and signage.

Councilman Summers and Joe Sweat discussed traffic flow on West End by site.

Vice Chairman Small, Joe Sweat, and Chairman Lawson discussed difficulty of traffic in area.

Councilman Summers motioned and Mr. Clifton seconded to approve with conditions and ask that public works revisit whether access should be one way or not.

Resolution No. 2003-161

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 2001P-005U-10 is **APPROVED (8-0), WITH CONDITION THAT PUBLIC WORKS REVISIT THE ALLEY TO THE SOUTHEAST OF THE PROPERTY TO POSSIBLY REQUIRE IT TO BE ONE-WAY.**

Conditions of approval:

1. Prior to the issuance of any building permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works and Water Services.
2. At a minimum, the façade of the structure shall be red brick on the first-floor, including the rear and all sides of the building at the first floor level.
3. One double-faced, ground mounted sign, not exceeding 6-feet in total height and 30 square feet in sign area, shall be permitted on Murphy Road. The sign shall be supported by a solid base of brick. The brick shall be of the same color used on the structure’s façade as provided in condition No. 2, above.
4. Two wall-mounted signs shall be permitted on the building’s facades. No pole-mounted sign(s) shall be permitted anywhere within the boundary of the PUD.
5. The requirements of the Metropolitan Fire Marshal’s Office for emergency vehicle access and fire flow water supply during construction must be met prior to the issuance of any building permits.
6. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any bonds for necessary improvements. A PUD boundary plat shall also be submitted in conjunction with the final plat.

7. Any future revisions to the plan may not increase the Floor Area Ratio (FAR) or building height over that approved on the original preliminary PUD plan from 2001 (1.74 FAR, while ORI allows an FAR of up to 3.0); and 6-stories in height, while this site could be developed at up to 10 stories under ORI).
8. Any future use in the ORI district shall be limited to a .75 FAR and consistent with the Urban Zoning Overlay.
9. A PUD amendment, requiring Council action, shall be required if any use is added to this site that would create an FAR of greater than 1.74 for the entire site.
10. A median shall be installed on Murphy Road to prevent left turns into project access drive. Right turn in and right turn out only will be allowed.
11. The left turn lane on Murphy Rd to Murphy Ct will be striped to provide 65 feet of storage without decreasing any storage lane length of the Murphy Rd left turn lane at West End Ave. AASHTO standards will be applied.
12. All required signage for the site will be installed by the developer.”

- 10. 91-71-G-14**
 Jackson Square Murphy Fueling Station
 Map 64-1, Parcel 1
 Subarea 14 (1996)
 District 11 (Brown)

A request for final approval for a portion of the Commercial Planned Unit Development located abutting the north margin of Lebanon Pike and the west margin of Andrew Jackson Parkway, classified SCR, (17.41 acres) to permit the development of a fuel pumping station, requested by CEI Engineering Associates, for Wal-Mart Stores, owner.

Staff Recommendation -*Approve with conditions*

APPLICANT REQUEST

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

Permit the development of an 18,237 square foot fueling station facility, to be located within the existing Wal-Mart parking lot – an area that was specifically set aside as a lease area for any fueling station. This PUD is located on the corner of Lebanon Pike and Andrew Jackson Parkway.

PLAN DETAILS - Proposal is consistent with the preliminary PUD plan of the Jackson Park Commercial PUD, approved by the Metro Council on April 17, 2002 (BL2002-986). That bill amended the original PUD plan to allow for the development of the 208,000 square foot Wal-Mart Supercenter with various outparcels located along Lebanon Pike and across Andrew Jackson Parkway.

TRAFFIC ENGINEER’S FINDINGS – Approve

CONDITIONS

Prior to the issuance of any building permits, signage details must be submitted to the Planning Department for review with the Metro Historical Commission regarding possible impacts on the Hermitage, a national historic site. Signage plans must include square footage, height, and lighting technique utilized.

A final plat needs to be recorded before the issuance of any building permits.

Before the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of final approval of this proposal to the Planning Commission.

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.

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.

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.

These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

Approved with conditions (8-0), Consent Agenda

Resolution No. 2003-162

“BE IT RESOLVED by the Metropolitan Planning Commission that Proposal No. 91-71-G-14 is **APPROVED (8-0) WITH CONDITIONS.**

Conditions of approval:

1. Prior to the issuance of any building permits, signage details must be submitted to the Planning Department for review with the Metro Historical Commission regarding possible impacts on the Hermitage, a national historic site. Signage plans must include square footage, height, and lighting technique utilized.
2. A final plat needs to be recorded before the issuance of any building permits.
3. Before the issuance of any permits, the Stormwater Management and the Traffic Engineering Sections of the Metropolitan Department of Public Works shall forward confirmation of final approval of this proposal to the Planning Commission.
4. 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.
5. 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.
6. 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.
7. 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.”

XI. MANDATORY REFERRALS

11. 2002M-056U-08

Close a Portion of 41st Avenue North (Revised)
Map 91-12, Parcels 189 and 193
Subarea 8 (2002)
District 21 (Whitmore)

A request to close a portion of 41st Avenue North from the south margin of Alley #1204 to Indiana Avenue, requested by Andrew M. Akers, applicant and abutting property owner. (Easements to be retained) (Deferred from meeting of April 24, 2003).

Staff Recommendation - *Approve as revised*

APPLICANT REQUEST (REVISED) - Close a portion of 41st Avenue North from the south margin of Alley #1204 to Indiana Avenue. (Easements are to be retained)

APPLICATION REQUIREMENTS

Signatures of All Abutting & Affected Property Owners - Yes – and they match tax assessor information.

DEPARTMENT AND AGENCY RECOMMENDATIONS

Metro Planning Department staff and Public Works staff met the applicant on-site on April 29, 2003. Having discussed departmental and agency concerns with the applicant, he agreed to revise the application to only request the closure of 41st Avenue North between Alley #1204 and Indiana Avenue.

The only other Metro agency recommending disapproval was the Historical Commission, who expressed concerns over the closure of the alley. Pursuant to the revised request, this concern has been alleviated.

Approved as revised (8-0), Consent Agenda

Resolution No. 2003-163

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2002M-056U-08 is **APPROVED (8-0)**."

12. 2003M-043G-10

Close Portion of Otter Creek Road (Revised)
Map 159, Parcel 67
Subarea 10 (1994)
District 33 (Turner)

An Ordinance to amend the Official Street & Alley Acceptance & Maintenance Map for the Metro Government of Nashville and Davidson County, by abandoning a portion of Otter Creek Road from the western boundary of the Radnor Lake State Park, approximately 875 feet east of Granny White Pike, to the city limits of Oak Hill because the Metro Department of Public Works has concluded that this portion of Otter Creek Road is unsafe for vehicular traffic, and the ecology of the area adjacent to the roadway prohibits the type of repairs necessary for the road to be improved to meet safety standards for public use by vehicular traffic; as well as it is the desire of the State of Tennessee, abutting property owner, that the abandonment be accomplished, as requested by the Director of Public Works. (Easements to be retained) (Deferred from meeting of April 24, 2003).

Staff Recommendation - *Approve bill as revised.*

APPLICANT REQUEST -An Ordinance to amend the Official Street & Alley Acceptance & Maintenance Map for the Metro Government of Nashville and Davidson County, by abandoning a portion of Otter Creek Road from the western boundary of the Radnor Lake State Park, approximately 875 feet east of Granny White Pike, to the city limits of Oak Hill. The Metro Department of Public Works has concluded that this portion of Otter Creek Road is unsafe for vehicular traffic, and the ecology of the area adjacent to the roadway prohibits the type of repairs necessary for the road to be improved to meet safety standards for public use by vehicular traffic. The State of Tennessee, abutting property owner, is supportive of the requested abandonment. (Easements are to be retained)

APPLICATION REQUIREMENTS

Application properly completed and signed? Not applicable since request was from Department of Public Works. It is stated within the bill that the State of Tennessee supports the request to close the portion of Otter Creek Road.

DEPARTMENT AND AGENCY COMMENTS - Metro Water Services and Nashville Electric Service (NES) have stated that all existing utility easements within the Otter Creek Road right-of-way must be retained.

Approved as revised (8-0), Consent Agenda

Resolution No. 2003-164

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2003M-043G-10 is **APPROVED (8-0)**."

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- 13. 2003M-046U-09**
Peabody Street Permanent Underground Easement
Map 93-7, Parcel 41
Subarea 9 (1997)
District 6 (Beehan)

An Ordinance authorizing a permanent 15-foot wide underground utility easement, granted by Metro Government to the Electric Power Board [NES], for the substation power plant on the Distributed Sight Improvement Project located on Peabody Street, as requested by the Metro Department of Real Property Services.

Staff Recommendation - *Approve*

APPLICANT REQUEST - An Ordinance authorizing a permanent 15-foot wide underground utility easement, granted by Metro Government to the Electric Power Board [NES], for the substation power plant on the Distributed Sight Improvement Project located on Peabody Street. This item was requested by the Metro Department of Real Property Services.

APPLICATION REQUIREMENTS - None

DEPARTMENT AND AGENCY COMMENTS - All reviewing departments or agencies recommend approval or conditional approval.

Approved (8-0), Consent Agenda

Resolution No. 2003-165

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2002M-046U-09 is **APPROVED (8-0)**."

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- 14. 2003M-047U-10**
Close Harcome Avenue
Map 131-4
Subarea 10 (1994)
District 25 (Shulman)

A request to close an unimproved right-of-way, Harcome Avenue, between Belvidere Drive and Woodvale Drive, as requested by Hugh M. Goodman, Jr., for Amy Ryder, Philip & Sharon Kirby, and Nancy Shipley, abutting property owners. (Easements to be retained)

Approved (8-0), Consent Agenda

Resolution No. 2003-166

"BE IT RESOLVED by the Metropolitan Planning Commission that Mandatory Referral No. 2002M-047U-10 is **APPROVED (8-0)**."

XIII. ADJOURNMENT

Their being no further business, upon motion made, seconded and passed, the meeting adjourned at 5:15pm.

Chairman

Secretary

Minute approval this _____ day of _____, 2003.

