



Project No.

Associated Cases
Council Bill
Council District
School District
Requested by

Proposed Amendment to the Bellevue Community Plan: 2003 Update

2004Z-153G-06 and 2004P-033G-06
None
35 – Tygard
9 – Norris
Roy Dale of Dale and Associates for various owners

Staff Reviewer
Staff Recommendation

Wood
Approve

APPLICANT REQUEST

Change the land use policy from Residential Low-Medium Density (RLM) to Neighborhood Center (NC) for approximately 4.43 acres for property at 8400 Highway 100, along the north side of Highway 100 and the west side of Westhaven Drive.

Existing Land Use Policy:
Residential Low Medium Density (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Proposed Land Use Policy:
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.

ANALYSIS

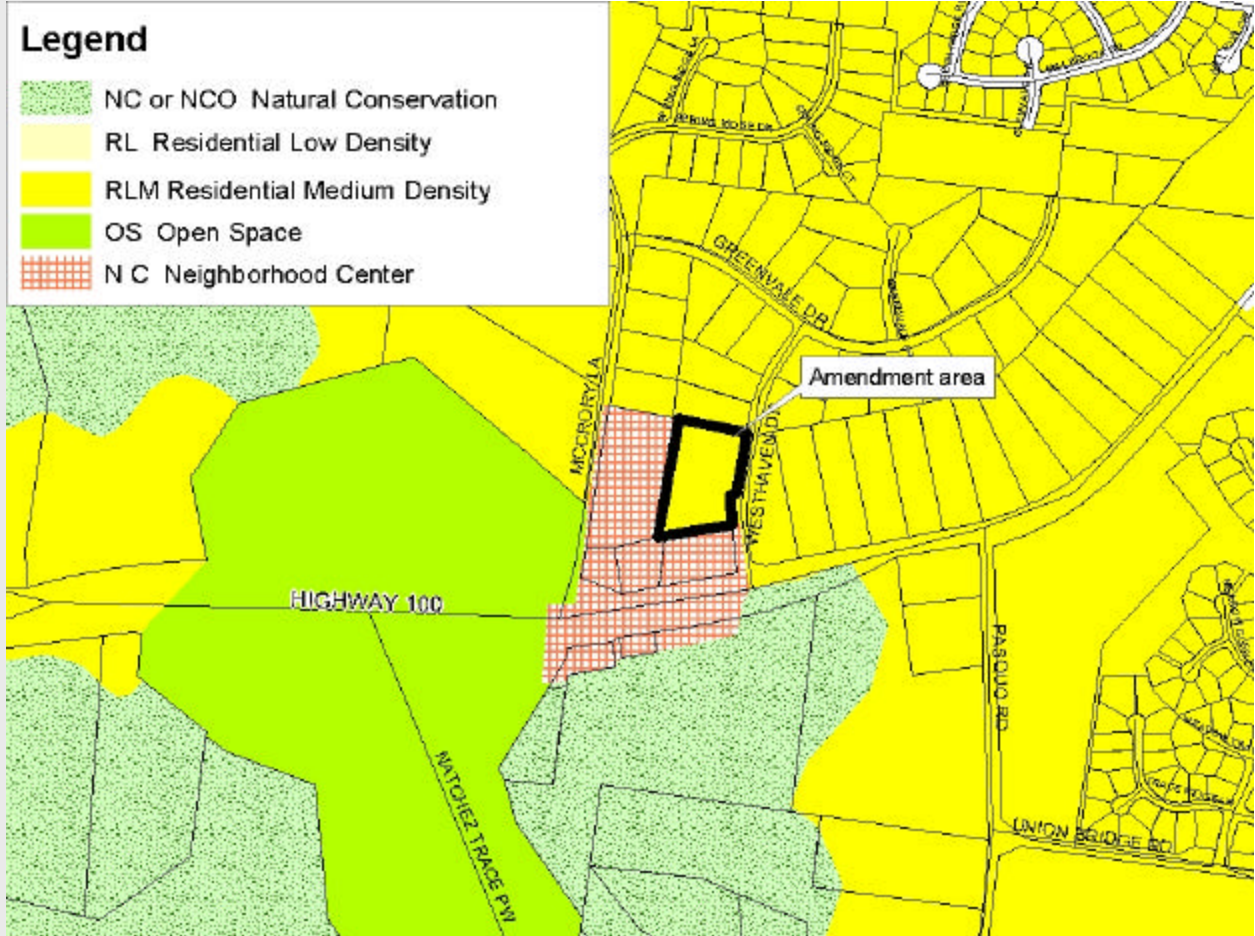
This amendment proposal is for an expansion of the existing Neighborhood Center area to accommodate an expansion of the existing Loveless Café and Motel operation. Staff recommends approval of the amendment request because this is an appropriate location for a Neighborhood Center based upon the property's accessibility to adjacent neighborhoods and its centralized location. Expansion of the policy to the north will result in an even depth of Neighborhood Center policy. The expansion is not expected to have a negative impact on adjacent residential on Westhaven



Metro Planning Commission Meeting of 11/11/04

Drive because of the design controls in the PUD and the fact that there will be only one access point, onto Highway 100. In addition, this expansion is not a linear expansion of nonresidential use along Highway 100, and the Bellevue Community Plan emphasizes the protection of this scenic corridor.

As of this date, staff has received extremely limited public response to the proposal, with one person being in favor and one against.





Project No.	Subdivision 2004S-104G-13
Project Name	The Preserve at Old Hickory, Phase II
Associated Cases	None
Staff Reviewer	Fuller
Council District	32 - Coleman
School District	6 - Awipi
Requested By	Taylor-Duncan Interests, owner, MEC, engineer
Staff Reviewer	Fuller
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST

Preliminary Plat	Subdivide 50.99 acres into 157 single-family lots with approximately 20 acres of open space, located approximately 900 feet north of Logistics Way.
-------------------------	--

**ZONING
RS10 District**

RS10 district allows single-family homes and requires a minimum lot size of 10,000 square feet.

The maximum density for this project is 3.7 dwelling units per acre (174 lots); the proposed density is 3.09 (157 lots).

CLUSTER LOT OPTION

Under the proposed cluster lot option, lot sizes can be reduced up to two zoning districts (5,000 square feet) with the installation of landscape buffer yards along the perimeter of the site where the proposed lots are less than 10,000 square feet.

The plan proposes lots that range in size from 5,000 to 10,430 square feet.

Pursuant to Section 17.12.080 (D) of the Zoning Code, cluster lot subdivisions require a minimum of 15% open space per phase.

SUBDIVISION DETAILS

This development is part of the 238.97 acre "Belz-McDowell" rezoning in the Antioch area from the summer of 2003 (Ordinance No. BL2003-1383 and 2003Z-030G-13).



Metro Planning Commission Meeting of 11/11/04

School Site Dedication

The rezoning included a condition that prior to final plat approval, a school site, in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students, shall be offered for dedication to the Metro Board of Education, the offer of such school site being proportional to the development's student generation potential.

This school site dedication is the responsibility of the remainder of the property rezoned by Belz and is not associated with this project.

Southeast Arterial

Another condition of the rezoning was that the applicant either dedicate or reserve right-of-way for the Southeast Arterial. This preliminary plat shows 120 feet of proposed right-of-way dedication for the Southeast Arterial located in Phase I.

PUBLIC WORKS RECOMMENDATION

All approvals for this preliminary plat are subject to Public Works' review and approval of construction plans, and shall fully comply with the requirements of the Metro subdivision regulations. All proposed streets shall be designed in accordance with the current edition of the AASHTO "green book."

Preserve Boulevard right-of-way south of roads L and K shall be abandoned when the Southeast Arterial is constructed.

Intersection of Preserve Boulevard with Roads K and L and the intersection of Road S and N do not appear to be aligned at ninety degrees. When construction plans are submitted, these intersections may be allowed to intersect at no less than 75 degrees if an obstacle prevents a standard alignment.

The center line of Road N does not appear to conform to AASHTO geometric design requirements for a 30 mph design speed.

Since Preserve Blvd. will not connect to Phase 1 (due to the southeast arterial), this segment of Preserve Blvd. should have a different name.



Metro Planning Commission Meeting of 11/11/04

The proposed Ashford Trace shall be revised to intersect with the proposed southeast arterial at a 90-degree angle.

CONDITIONS

1. Comply with all Public Works comments.



**Project No.
Project Name**

**Mandatory Referral 2004M-092U-08
Right of way abandonment -- Close a portion
of 31st Ave., North**

**Council Bill
Council District
Requested by
Deferral**

None
21 – Whitmore
Hella Temple, property owners.
Deferred from the October 14, 2004, meeting

**Staff Reviewer
Staff Recommendation**

Kleinfelter
Disapprove

APPLICANT REQUEST

A request to close an unbuilt 200-foot portion of 31st Ave., North, between Delaware Ave. and Georgia Ave., requested by Hella Temple, property owner.

The applicant states that the reason for the request is that the road has not previously been developed.

DEPARTMENT AND AGENCY COMMENTS

The Department of Public Works has recommended disapproval of the request to abandon this portion of Metro right of way. Closure of this section of right of way would eliminate a connection to the adjacent unimproved Alley #1202, and completely isolate an unnamed alley to the west from Metro right of way.

RECOMMENDATION

Staff recommends **disapproval** of this alley closure for the following reasons:

1. Abandonment of the requested section of 31st Ave., North, would eliminate all public road frontage for two parcels – 033 and 164. Parcels 033 and 140 are owned by the applicant and could be combined to prevent creation of a parcel without street frontage, but Parcel 164 is not owned by the applicant. In addition, Parcel 164 cannot be combined with any lot facing Georgia Avenue because it is separated from those lots by unimproved Alley #1202.
2. The applicant has not provided the required signature from the owner of Parcel 164. The remaining parcels abutting the right of way requested to be abandoned are owned by the applicant. Documentation must be provided, however, to demonstrate that the person who signed



Metro Planning Commission Meeting of 11/11/04

the application is authorized to act on behalf of the property owner, Hella Temple.

3. As stated by Public Works, closing this portion of 31st Ave., North, would cut off an access to Alley #1202. Although Alley #1202 currently is unimproved, it potentially could provide access to the rear of the properties on Georgia Avenue and Delaware Avenue if needed in the future.

In addition to Public Works, the following departments or agencies have reviewed this request: NES and the Stormwater Division recommend approval. Metro Water Services recommends approval with retention of easement rights for an 8" sewer and 6" water line.



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

Zone Change 2003Z-002T
None
None
Countywide
n/a
Councilmember J. B. Loring, Councilmember-at-Large Diane Neighbors, Metro Planning Department, Metro Codes Department, and M.D.H.A.

Staff Reviewer
Staff Recommendation

Regen
Approve – no exceptions taken

APPLICANT REQUEST

Amend Zoning Code to permit residential uses in commercial areas along arterial and collector streets shown on the adopted Major Street Plan, known as the proposed Adaptive Reuse Ordinance (ARO).

ANALYSIS

Existing Law

Presently, Metro does not allow residential uses within commercial districts such as CS and CL or shopping center districts like SCN and SCC. A property owner wishing to develop residential must rezone the property to either a mixed-use district (MU) or to a multi-family zoning district (RM).

Proposed Text Change

To encourage the adaptive reuse of Metro’s commercial areas, this Code amendment proposes to permit residential uses along the major arterials and collector streets in Davidson County. The amendment is intended to encourage the reuse of vacant and distressed properties, but developed properties also qualify. A property owner or developer could decide to reuse a portion of a building for residences or to demolish the existing structure and develop a new residential or mixed-use building. The ARO concept is to provide opportunity.

The amendment proposes to modify the Zoning Code by inserting a “PC” (permitted with conditions) under single-family, two-family, and multi-family uses for various zoning districts. As a “PC” use, certain standards must be complied with in order to construct residential uses in these zoning districts; see complete text of bill below.



Metro Planning Commission Meeting of 11/11/04

Benefits

The ordinance is simple and straightforward. If approved, it encourages residential development where it makes the most sense. And it does so with a review process that's appropriate, and not unduly burdensome. By providing opportunities to reclaim, improve, and redevelop vacant, underutilized, or distressed properties, the amendment leverages private sector investment where Metro has existing public infrastructure (i.e. roads, sidewalks, public safety, libraries, and schools). Further, the amendment serves to relieve the pressure to place multi-family development in the interior of established neighborhoods.

Project Review

A developer wanting to use the provisions of the ARO would apply for a final site plan to be reviewed and approved by the Zoning Compliance division of the Codes Department. Any deviations from the Zoning Code provisions with regard to height, building setback, street setback, etc. would be reviewed as a special exception (SE) by the Board of Zoning Appeals (BZA). No variances would be required for these developments as the SE would account for all such code variations. As with all SE requests, a public hearing would be held by the BZA, and all neighborhood groups and property owners within 300 feet would be notified of the BZA meeting.

Proposed Text

See below.

Staff Recommendation

Approve. This text amendment provides opportunities to reinvest in Nashville, making commercial thoroughfares – the major entry points to the city – more viable and livable.



Metro Planning Commission Meeting of 11/11/04

Proposed ARO Text

By amending Section 17.16.030 “Uses Permitted with Conditions: Residential Uses” by **inserting** as “E. Adaptive Residential Development”.

- E. Adaptive Residential Development. A residential use shall be permitted provided it is located on a lot or within an existing building having the majority of its frontage on an arterial street or collector street, as shown on the adopted Major Street Plan, and subject to the following conditions:
1. **Applicability.** The provisions of this section shall apply to any residential use permitted with conditions in a non-residential zoning district, or at an applicant’s discretion, to any residential use permitted by right within a non-residential zoning district, where a minimum of 40% of the building is devoted to residential uses, and which complies with the locational criteria set forth in the immediate paragraph above.
 2. **Design Standards.**
 - a. All Residential Uses: Where a minimum of 40% of the building is devoted to residential uses, the standards of this title shall apply to any building or portion thereof converted to residential use, and any addition to an existing building for residential use, as explicitly shown on the approved final site plan under the authority of Section 17.40.170.A of this title, except as provided below for new construction.
 - b. Single-Family and Two-Family Residential Uses: Single-family and two-family uses shall be permitted only in an existing building or as part of a new mixed-use development within a single-structure. Otherwise, all other requirements and standards established by other chapters of this title, as well as any other applicable metro, state or federal regulation, shall apply to the development and use of properties shown on the final site plan. In case of conflict between the standards of this section and other chapters of this zoning code, the provisions of this section shall control, except for Council approved plans such as planned unit developments and urban design overlay districts.
 3. **Residential Floor Area.** In all non-residential districts that permit with conditions a residential use, no density or floor area ratio applies to those portions of a non-residential building converted to a residential use or to new residential construction.
 4. **Building Orientation.** In any new or existing building, a primary building entrance shall be oriented to the arterial street, to the extent feasible. On a



Metro Planning Commission Meeting of 11/11/04

corner lot, entrances shall be determined in consultation with the zoning administrator.

5. **Driveway Access.** For new construction, driveway access may be permitted on a non-arterial or non-collector street only if that street intersects the arterial or collector street within the same block.
6. **Parking.** Parking spaces shall be required for any residential, commercial and/or retail use in accordance with Chapter 17.20, except the provisions of Section 17.20.040.E. and F. shall apply to qualifying residential projects located outside of the urban zoning overlay district. In addition, no more than 1.5 spaces shall be required per a residential dwelling unit. Tandem residential parking may be no more than two cars in depth. If parking is provided in a new deck or structure, the ground-floor of the parking facility abutting a public street shall contain commercial or retail uses for 75% of the street frontage. The commercial or retail area shall have a minimum depth of 20 feet, a minimum height of 14 feet (floor to floor) for the first floor of the garage at street level, with each storefront having between 55%-85% glazed window area along the garage wall facing the public street.
7. **Traffic Impact Study.** No traffic impact study shall be required, except the traffic engineer may require a study for developments of 100 dwelling units or greater.
8. **Landscaping.** Notwithstanding Section 17.24.050.A, any single addition that increases the total building area by twenty-five percent or more of an existing building, in whole or in part, shall provide landscaping as required by this title. Where the number of parking spaces is increased by 25%, either through a parking lot expansion or the construction of a new parking lot, interior parking lot landscaping shall be required.
9. **IWD and IR Districts.** Only multi-family uses shall be permitted in these two industrial districts, and then, only in a structure where the historical commission has determined the structure is worthy of conservation, was constructed more than fifty years ago, and is being preserved with no additions, deletions, or alterations which would be inconsistent with the historic nature of the building or significantly alter the building's exterior appearance (i.e. blocking out windows with brick or other materials). In addition, the zoning administrator must find that the uses of property surrounding the non-residential structure are not detrimental to the health, safety, and welfare of prospective residents and that the project will not displace viable industrial uses.
10. **Final Site Plan Approval.** A final site plan application shall be submitted for review and approval in a manner consistent with the procedures of Section 17.40.170.A., and any supplemental information requested after review of the application. Final site plan applications shall be of sufficient detail to fully



Metro Planning Commission Meeting of 11/11/04

describe the ultimate form of development and demonstrate full compliance with all applicable standards. The Zoning Administrator, upon advice of the appropriate metropolitan government agencies, shall grant final site plan approval based on findings that the design, proportions, and articulation of the proposed residential use are compatible with, and do not impact, the abutting or adjacent uses.

11. **Alternative Design Standards.** Where a proposed residential development cannot comply with the standards of this section, the applicant shall be required to submit for review by the Board of Zoning Appeals a special exception, in accordance with Sections 17.16.140 and 17.16.150 of this Title. The minimum filing fee shall be equal to a commercial application as per the adopted Board of Zoning Appeals fee schedule. In granting such approval of a special exception application, the Board shall determine that the applicant has demonstrated that the relief being requested will not be injurious to surrounding properties, nor violates the adopted General Plan. The Board shall not act on any application without first considering a recommendation from the planning department.

By amending Section 17.16.140 “Applicability” [Special Exception]: The land use development standards in this article apply to uses permitted by special exception, referenced as "SE" in the zoning district land use table, Section 17.08.030, or as otherwise provided in this Title...”

By amending Section 17.24.050.A “Exceptions” by modifying the list of exceptions for landscaping, buffering, and tree replacement to include a non-residential building converted to residential use as follows: A. Improvements or repairs to interior and exterior features of existing structures, including the conversion of a non-residential building to residential use either in whole or in part, as provided in this title, or the removal or destruction of trees.

By amending Section 17.40.340 “Variances: Limits to Jurisdiction” by modifying the text as follows: The board shall not grant variances to the land use provisions of Section 17.08.030, the density or floor area ratio (FAR) standards of Tables 17.12.020B and 17.12.020C, nor the required size of residential lots approved by the planning commission under the authority of Section 17.12.070, (Lot averaging), Section 17.12.080, (Cluster lot option) or Section 17.36.070C (PUD), or residential development permitted by Section 17.16.030.E. Further, the board shall not act on a variance application within a planned unit development (PUD), urban design overlay or institutional overlay district without first considering a recommendation from the planning commission.



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

Zone Change 2004Z-118U-12
None
None
27 – Foster
2 – Blue
Nader Karfhenas, applicant, Franklin Realty and Mortgage, Inc., owner
Deferred from the September 9, 2004, meeting. This item was deferred indefinitely by the Commission to allow for the submittal of a survey to locate grave sites in the area.

Deferral

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 4.57 acres from residential (R6) to residential multi-family (RM15) district at J. J. Watson Avenue (unnumbered).

Existing Zoning
R6 district

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots. This R6 district allows approximately 35 dwelling units currently.

Proposed Zoning
RM15 district

RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. The RM15 district would allow for approximately 69 single-family homes.

SOUTHEAST COMMUNITY PLAN POLICY

Residential Medium High (RMH)

RMH policy is intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. A variety of multi-family housing types are appropriate. The most common types include attached townhomes and walk-up apartments.

Policy Conflict

No. The proposed zoning district (RM15) is consistent with the Southeast Community Plan’s RMH policy calling for residential development within a density range of nine to twenty dwelling units per acre. It is



Metro Planning Commission Meeting of 11/11/04

also consistent with the surrounding zoning pattern with RM15 adjacent to the property and RM20 to the north of the property.

At the September 9, 2004 meeting, the Commission requested that a survey be done on the property to determine if grave sites are located on the property. The applicant has submitted a letter from a state archaeologist, Nick Fielder. There was no indication of graves located on Parcels 84 and 85 included with this request. The large cemetery is located on Parcel 017 to the west of these parcels, at the terminus of Winston Avenue. Parcel 236 was not observed under the assumption that graves, if present on this site, would most likely be closer to the location of the large cemetery. The applicant has also hired a private archeologist to study the site.

When this application was heard at the September 9, 2004, Commission meeting, the applicant was requesting RM20 zoning. Several commissioners stated at that meeting, however, that the maximum density they would approve on this property would be RM15. The applicant has revised the application to request RM15 zoning.

RECENT REZONINGS

Parcels 29, 30, and 34 were rezoned from R6 to MUL in November 2003. The Planning Commission recommended approval on September 25, 2003.

TRAFFIC

No Exception Taken.

Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	4.57	6.18	28	324	30	35

Typical Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	Density per acre	Total Number of units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	4.57	15	69	590	48	56



Metro Planning Commission Meeting of 11/11/04

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	Total Number of units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+63	266	18	21

METRO SCHOOL BOARD REPORT

Projected student generation Schools Over/Under Capacity

7 Elementary 4 Middle 3 High

Students would attend Tusculum Elementary School, McMurray Middle School, or Overton High School. None of these schools have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated August 31, 2004.

CONDITIONS

1. Grave sites on parcel 85 are to be preserved with the appropriate buffer requirements.



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

Zone Change 2004Z-133G-12
None
None
31 – Toler
2 – Blue
Gresham, Smith and Partners, applicant, Edmondson Chapel Missionary Baptist Church, owner.
Deferred from the October 28, 2004, meeting.

Deferral

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 4.48 acres from agricultural/residential (AR2a) to mixed use limited (MUL) district at 6815 and 6821 Nolensville Pike, on the south side of Concord Road.

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.

Proposed Zoning
MUL district

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

SOUTHEAST COMMUNITY PLAN POLICY

Community Center (CC)

CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area is intended for emerging and undeveloped areas that are planned to be future centers serving multiple neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An accompanying Urban Design or Planned Unit Development overlay district or site plan is to be submitted to assure design objectives and type of development conforms with the intent of this policy.

Policy Conflict

The proposed MUL district is consistent with the Southeast Community Plan's CC policy in this area. A



Metro Planning Commission Meeting of 11/11/04

site plan was submitted that appears to be consistent with the approved development/zoning pattern in the area. Property to the west was recently approved by the Commission for CL with no site plan since it was prior to the site plan requirement under the new CC Land Use Policy. A portion of property to the northwest was recently rezoned to SCC (Legg Development PUD).

The CC Policy calls for development with a main street character with parking to the rear and side in this area. It also calls for pedestrian linkages and opportunities for non-auto oriented development. Since the other three corners are either developed or proposed to be developed in a more suburban manner, it may be appropriate for this site to develop in this manner, but with more emphasis on the pedestrian linkages to the surrounding neighborhoods. The site plan submitted shows a double-loaded parking area in the front and access from the Southeast Corridor, which may be a limited access highway at this location. The plan also proposes pedestrian linkages to the other commercial development in this area and proposes a greenway along Mill Creek. Retail uses totaling 21,000 square feet are proposed for this development with a pedestrian "plaza" area between the two buildings. Since many elements of the policy are included on the site plan, staff recommends approval.

The floodway and floodplain areas are to comply with Section 17.28.040 of the Zoning Ordinance.

RECENT REZONINGS

Parcel 049 across from this site was rezoned from AR2a to SCC, RM9 and R15 by Council on July 2004. The Planning Commission recommended approval May 2004. The Planning Commission also recommended approval on a portion of parcel 7 from AR2a to CL.

TRAFFIC METRO PUBLIC WORKS' RECOMMENDATION

A TIS is required at development.



Metro Planning Commission Meeting of 11/11/04

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)	4.48	0.5	1	10	1	2

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station With Convenience Market (853)	4.48	0.088	6,133	5187	280	372

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
--	--			5177	279	370

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 (0)	4.48	0.5	1	10	1	2

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station with Convenience Market (0)	4.48	0.2*	13,939	11,787	636	845

* adjusted to reflect an actual maximum.

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
--	--			11,777	635	843

*acreage adjusted to reflect an actual maximum.



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

Zone Change 2004Z-135U-09
None
None
19 - Wallace
7 - Kindall
Artmas L. Worthy, DDS, and Elmer Freeman, owners/
applicants
Deferred from the October 28, 2004, meeting.

Deferral

Staff Reviewer
Staff Recommendation

Fuller
Disapprove

APPLICANT REQUEST

Rezone 0.20 acres from Residential Single-Family (RS3.75) to Residential Multi-family (RM15) property at 1021 9th Avenue North, on the south side of Phillips Street.

Existing Zoning
RS3.75

RS3.75 requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre. The current zoning would allow 2 homes on this property

Proposed Zoning
RM15

RM15 is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre. The proposed zoning would allow 3 homes on this property.

**HOPE GARDENS NEIGHBORHOOD
PLAN POLICY**

Residential Medium (RM)

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Policy Conflict

Yes. The proposed RM15 district allows a higher density than what is called for by the RM policy in the area. The Hope Gardens Neighborhood Plan applied the RM policy in an effort to conserve the existing character of the neighborhood. This property is located on the edge of RM policy area and is abutting MU, or Mixed Use policy on the opposite side of 9th Avenue,



Metro Planning Commission Meeting of 11/11/04

North. The MU area of 9th Avenue North has been developed as the Row 8.9 townhouses. This area is also part of the MDHA Phillips Jackson Redevelopment District. That plan calls for primarily single family homes on small lots in this area

Directly across Philips Street from the subject property is a half block of RM20 zoning. Across 9th Avenue North are properties zoned OR20, RM20 and MUL.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS RECOMMENDATION

No Exceptions Taken.

Typical Uses in Existing Zoning District: RS3.75

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)	0.20	9.89	2	20	2	3

Typical Uses in Proposed Zoning District: RM15

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	0.20	15	3	29	3	4

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
--				9	1	1

METRO SCHOOL BOARD REPORT

Projected student generation

<1 Elementary <1 Middle <1 High

Schools Over/Under Capacity

Students would attend Eakin / Cavert Elementary School, West End Middle School, and Hillsboro High School. Eakin / Cavert Elementary School has been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster. This information is based upon data from the school board last updated January 16, 2004.



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

Zone Change 2004Z-140U-10
None
None
25 – Shulman
8 – Harkey
Scott Morgan, applicant/owner, James Halloran, owner
Deferred from the October 28, 2004, meeting. The
applicant also changed the request to the RS10 district
from the R10 district.

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 1.76 acres from residential (R20) to residential single-family (RS10) district at 4115 Lealand Lane.

Existing Zoning
R20 district

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots. The R20 district allows approximately 4 dwelling units currently.

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 allow for approximately 7 dwelling units.

SUBAREA 10 PLAN POLICY

Residential Low (RL)

RL policy is intended to conserve large areas of established, low density (one to two dwelling units per acre) residential development. The predominate development type is single-family homes.

Policy Conflict

Yes. Neither the proposed RS10 district nor the previously requested R10 are consistent with the Subarea 10 Plan's RL policy in this area, which is intended for residential development at a density of one to two dwelling units per acre.

RECENT REZONINGS

Properties to the south of this property requested from R20 to RS20 were approved by the Commission on October 28, 2004 meeting.



Metro Planning Commission Meeting of 11/11/04

TRAFFIC

No Exception Taken.

Typical Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached ()	1.76	1.85	3	29	3	4

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 ()	1.76	3.7	7	67	6	8

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
--				38	3	4

METRO SCHOOL BOARD REPORT

Projected student generation

<1 Elementary <1 Middle <1 High

Schools Over/Under Capacity

Students would attend Glendale Elementary School, Croft Middle School, or Overton High School. Croft has been identified as being over capacity by the Metro School Board. There is capacity at another middle school within the cluster. This information is based upon data from the school board last updated August 31, 2004.



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

Zone Change 2004Z-145U-13
None
None
29 - Wilhoite
6 - Awipi
Mitchell Whitson, Rusty Rust, applicants for Juanita & James Sloan, MUR-CI Home, and David & Laura Bishop, owners

Deferral
Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 7.46 acres from commercial neighborhood (CN) to mixed use limited (MUL), at 2122 and 2130 Murfreesboro Pike, south of Franklin Limestone Rd.

Existing Zoning
CN

Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Proposed Zoning
MUL

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

ANTIOCH - PRIEST LAKE COMMUNITY PLAN POLICY

Mixed Use (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 proposed MUL rezoning is consistent with Antioch-Priest Lake Community Plan's Mixed Use (MU) policy intended for residential, commercial, office, and other community uses. It is also consistent with the zoning pattern in the area.



Metro Planning Commission Meeting of 11/11/04

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS RECOMMENDATION

A TIS may be required for development.

Typical Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
SPECIALTY RETAIL CENTER (814)	9.48	0.122	50,379	2193	NA	143

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
SPECIALTY RETAIL CENTER (814)	9.48	0.240	99,107	4278	NA	260

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
--	--			2085		117

Maximum Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
OFFICE PARK (750)	9.48	0.25	103,237	1485	222	232

*

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
SPECIALTY RETAIL CENTER (814)	9.48	0.6	247,769	10638	NA	617

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			9153		385



Metro Planning Commission Meeting of 11/11/04

METRO SCHOOL BOARD REPORT

Projected student generation

31 Elementary 19 Middle 14 High

Schools over/under Capacity

Students would attend Una Elementary School, Margaret Allen Middle School, and McGavock High School. Una Elementary has been identified as being full or overcrowded and McGavock High School have been identified as being full by the Metro School Board. There is another middle school with capacity within the cluster and capacity at other high schools in adjacent clusters (Stratford and Glencliff). This information is based upon data from the school board last updated August 31, 2004.

*The numbers for MUL zoning are based upon students that would be generated if the MUL zoning were to develop only as residential instead of mixture of residential, office, and commercial uses. This also assumes each multi-family unit has 1, 200 sq. ft. of floor area.



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

Zone Change 2004Z-146U-03
None
None
2 – Isabel
1 – Thompson
Phillip A. and Vera Alene Corbitt, owners.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 3.09 acres from residential (R8) to residential multi-family (RM9 and RM20) districts at Cliff Drive (unnumbered) (1.54 acres) and 2113 Cliff Drive (1.55 acres).

Existing Zoning
R8 district

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots. This R8 district allows approximately 17 dwelling units currently.

Proposed Zoning
RM9 district

RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre. The RM9 district would allow for approximately 14 dwelling units.

RM20 district

RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The RM20 district would allow for approximately 31 units.

**BORDEAUX-WHITES CREEK
COMMUNITY PLAN POLICY**
Mixed Housing in Neighborhood
General (MH in NG)

Bordeaux Village South DNDP

MH includes various housing types that vary based on lot size and building placement. 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. Residential development other than single family is appropriate provided the location and the particular type of residential development proposed are supported by a detailed



Metro Planning Commission Meeting of 11/11/04

Policy Conflict

neighborhood design plan or, for areas lacking a design plan, a special policy.

No. The proposed zoning districts (RM9 and RM20) are consistent with the Bordeaux Village South Detailed Neighborhood Design Plan's MH in NG policy calling for various types of residential development with the submittal of a site plan, Planned Unit Development, or Urban Design Overlay. A site plan was submitted that proposes two to three story stacked flats on the parcel requested for RM20 and two to three story townhomes for the parcel requested for RM9. The site plan is consistent with the policy and would provide a transition from the single-family homes to the north and the commercial to the south along Clarksville Pike.

RECENT REZONINGS

Parcels 69 and 70 were rezoned from R8 to RM40 in August 2001. The Planning Commission recommended approval on June 2001.

TRAFFIC

No Exception Taken.

Typical Uses in Existing Zoning District: R8

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)	3.09	4.63	14	134	11	15

Typical Uses in Proposed Zoning District: RM9

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. condo/townhome (230)	1.55	9	14	3	7	8

Typical Uses in Proposed Zoning District: RM20

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. condo/townhome (230)	1.54	20	31	238	21	24

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
--				187	17	17



Metro Planning Commission Meeting of 11/11/04

METRO SCHOOL BOARD REPORT

Projected student generation (RM9) Schools Over/Under Capacity

2 Elementary 2 Middle 1 High

Students would attend Bordeaux Elementary School, Ewing Park Middle School, or Whites Creek High School. Ewing Park has been identified as being overcrowded by the Metro School Board. There is not capacity at another middle school within the cluster. This information is based upon data from the school board last updated August 31, 2004.

Projected student generation (RM20) Schools Over/Under Capacity

5 Elementary 4 Middle 3 High

Students would attend Bordeaux Elementary School, Ewing Park Middle School, or Whites Creek High School. Ewing Park has been identified as being overcrowded by the Metro School Board. There is not capacity at another middle school within the cluster. This information is based upon data from the school board last updated August 31, 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 \$52,000 for additional school capacity in this cluster. This estimate is based on maintaining current school zone boundaries.



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

Zone Change 2004Z-147G-14
None
None
15 – Loring
4 – Nevill
Bobby W. and Rebecca P. Howard, applicant/owner.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 0.82 acres from commercial limited (CL) to commercial service (CS) district at Elm Hill Pike (unnumbered).

Existing Zoning
CL district

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

Proposed Zoning
CS district

Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light manufacturing and small warehouse uses.

DONELSON-HERMITAGE COMMUNITY PLAN POLICY

Office Concentration (OC)

The OC policy is intended for existing and future large concentrations of office development. The predominant uses in OC policy are offices. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least RMH density are also an appropriate secondary use.

Policy Conflict

The proposed CS district is consistent with the commercial zoning pattern in the area. The OC policy allows some commercial uses that cater to the larger office developments in the area. Any future development of the property shall comply with the floodplain guidelines in Section 17.28.040 of the Zoning Ordinance.



Metro Planning Commission Meeting of 11/11/04

RECENT REZONINGS

The adjacent parcel (034) was rezoned from RM20 to CL in May 2004, by the Metro Council. The Planning Commission recommended approval on February 26, 2004.

TRAFFIC

No exception taken.

Typical Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.82	0.172	6,144	156	10	10

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.82	0.198	7,072	175	11	11

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
--	--			19	1	1

Maximum Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851)	0.82	0.172*	6,144	4535	416	322

*adjusted as per typical size of use.

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.82	0.60	21,431	408	55	103

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			-4127	-361	-219



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

Zone Change 2004Z-149G-02
2004P-032G-02
None
4 - Craddock
3 - Garrett
James Dillard, Dillard Holdings, LLC, applicant for owner, Mary C. Browder

Deferral
Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 9.8 acres from residential single-family (RS20) to residential multi-family (RM4), at 1501 Chadwell Drive, west of Interstate 65.

Existing Zoning
RS20 district

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

Proposed Zoning
RM4 district

RM4 is intended for single-family, duplex, and multi-family dwellings at a density of 4 dwelling units per acre.

**PARKWOOD / UNION HILL
COMMUNITY PLAN POLICY**

Residential Low (RL)

RL policy is intended to conserve large areas of established, low density (one to two dwelling units per acre) residential development. The predominant development type is single-family homes.

Policy Conflict

Yes. The proposed RM4 district is not consistent with the RL policy intended for residential development within a density range of one to two dwelling units per acre. The RM4 exceeds the density range of the RL policy allowing for four dwelling units per acre. While there is an adjacent parcel to the south that is zoned RM15, to allow another rezoning to residential multifamily in this area would be out of character with the predominantly single-family development pattern along Chadwell Drive.



Metro Planning Commission Meeting of 11/11/04

RECENT REZONINGS

Parcel 015, which abuts this property to the south, was rezoned from RS10 to RM15 in March 2000, by the Metro Council. The Planning Commission recommended approval in January 2000.

TRAFFIC PUBLIC WORKS RECOMMENDATION

No Exception Taken.

Typical Uses in Existing Zoning District: RS20

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)	9.8	1.85	18	215	23	23

Typical Uses in Proposed Zoning District: RM4 with PUD

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	9.8	4	39*	288	26	28

* Units proposed in PUD

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
--				73	3	5

METRO SCHOOL BOARD REPORT

Projected student generation

10 Elementary 6 Middle 4 High

Schools over/under Capacity

Students would attend Chadwell Elementary School, Gra-Mar Middle School, and Maplewood High School. No schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated August 31, 2004.



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

Planned Unit Development 2004P-032G-02
Chadwell Retreat PUD
None
4 - Craddock
3 - Garrett
2004Z-149G-02
Dillard Holdings, LLC, applicant for engineer, Dale & Associates, and owner, Mary C. Browder.

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD to permit 36 townhomes on 9.8 acres, at 1501 Chadwell Drive, west of Interstate 65.

ZONING & LAND USE POLICY
RS20 to RM4

This request for preliminary PUD approval is associated with a zone change request (2004Z-149G-02) from RS20 to RM4, which would allow for the development of 39 multi-family units.

Subarea 2 Plan's
RL policy

This property is located within a Residential Low land use policy, which limits residential development to a maximum of 1-2 dwelling units per acre. The RM4 district would exceed this allowable density of the RL policy.

PLAN DETAILS

Site Design

The plan proposes 36 townhomes with 106 parking spaces, which exceeds the requirement of 72 spaces. The open space and detention area is located on the southern and western boundaries of the property. Open space is also proposed throughout the development. Along the southern boundary, a 6 foot privacy fence is also proposed.

Access

Access to the subdivision is proposed along Chadwell Drive. Private roads are proposed through the development. Sidewalks are proposed throughout the development.

Landscape Buffer yards

Although a landscape buffer yard is not required along the western boundary of the PUD plan, the applicant



Metro Planning Commission Meeting of 11/11/04

proposes a 20' Class C landscape buffer between the RS20 and the RM4 zoning districts.

The existing tree line will serve as a landscaping buffer along the eastern and southern edges of the development. There is also a blue-line stream abutting the property to the north, east, and south, but it does not fall within floodway or floodplain.

PUBLIC WORKS RECOMMENDATION

Traffic recommends that adequate sight distance be provided as per AASHTO, and that the streets be private.

Staff Recommendation

Staff recommends disapproval of the PUD application. The proposed density exceeds the RL policy's density range of one to two dwelling units per acre. If approved, revised plans are to be submitted with sidewalks labeled and Public Works recommendations addressed. Also if rezoned, one private drive needs a turn around to allow for emergency vehicles.



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

Zone Change 2004Z-151U-05
2004P-031U-05
None
6 – Jameson
5 – Hunt
Barge, Waggoner, Sumner & Cannon, applicant, for
Larry J. Burge, owner.

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 1.01 acres from residential multi-family (RM20) to mixed use limited (MUL) district at S. 5th Street (unnumbered).

Existing Zoning
RM20 district

RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre.

Proposed Zoning
MUL district

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

SUBAREA 5 PLAN POLICY

Residential Medium
High (RMH)

RMH policy is intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. A variety of multi-family housing types are appropriate. The most common types include attached townhomes and walk-up apartments.

Policy Conflict

Yes. The proposed MUL district is not consistent with the Subarea 5 Plan’s RMH policy in this area intended for higher density residential development. The accompanying PUD plan (2004P-031U-05) proposes a parking area with 108 spaces. The MUL district allows for retail and office uses, while the policy calls for residential uses.

RECENT REZONINGS

None.



Metro Planning Commission Meeting of 11/11/04

TRAFFIC

No Exception Taken.

Typical Uses in Existing Zoning District: RM20

Land Use (ITE Code)	Acres	Units per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. condo/townhome (230)	1.01	20	20	164	15	17

Typical Uses in Proposed Zoning District: MUL with PUD

Land Use (ITE Code)	Acres	FAR	Total Parking Spaces	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Parking Lot ()	1.01		108 spaces	NA		

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--						



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

Planned Unit Development 2004P-031U-05
South 5th/Shelby Avenue PUD
None
6 – Jameson
5 - Hunt
2004Z-151U-05
Barge, Waggoner, Sumner and Cannon, for Larry J. Burge, owner

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD to permit a 108 space parking area on 1.01 acres, on property located at South 5th Street (unnumbered), along the north side of Shelby Avenue.

ZONING & LAND USE POLICY
RM20 to MUL

Subarea 5 Plan
RMH policy

This request for preliminary PUD approval is associated with a zone change request (2004Z-151U-05).

Residential Medium High policy is intended for residential development within a density range of nine to twenty dwelling units per acre.

PLAN DETAILS

Site Design

The plan proposes a 108 space parking area using a grass parking surface. Section 17.20.060 requires that permanent parking areas containing over 5 spaces shall be surfaced with asphalt or concrete.

Billboards

The existing billboard should be removed based on Section 17.30.150A, which states that “billboards are prohibited on any property within a planned unit development (PUD) overlay district, regardless of the underlying zoning district, unless expressly permitted as part of an approved development plan by the metropolitan council.”

Access

Access to the parking area is proposed from South 5th Street.



Metro Planning Commission Meeting of 11/11/04

Water Quality Concept

The water quality concept is not shown on the plan and the Stormwater Division of Metro Water Services has requested that it be shown. The detention should also be addressed on the final plan.

STAFF RECOMMENDATION

Staff recommends disapproval of the PUD. The zoning district requested, MUL, and the development plan, are not consistent with the intent of the RMH policy calling for residential uses.



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

Zone Change 2004Z-152G-12
2004P-035G-12
None
31 - Toler
2 - Blue
Kevin Gangaware, Civil Site Design Group, applicant for various owners, R. McMurray, J. McFarlin, and J. and W. McFarlin

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions, including a school site dedication

APPLICANT REQUEST

Rezone 111.70 acres from agricultural/residential (AR2a) to residential multi-family (RM9) for 11.08 acres, residential single-family and duplex (R8) for 21.32 acres, and residential single-family (RS10) for 79.30 acres property at Burkitt Road (unnumbered) and 7011 Burkitt Road, east of Nolensville 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 is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

Proposed Zoning
RM9 district (11.08 acres)

RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre.

R8 district (21.32 acres)

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

RS10 district (79.30 acres)

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.



Metro Planning Commission Meeting of 11/11/04

SOUTHEAST COMMUNITY PLAN POLICY

Neighborhood General (NG)

NG policy calls for a variety of housing types that are carefully arranged, not randomly located. Regardless of location, the mix of density is the key to the success of a NG area. Too much of one type of residential development could be detrimental to the neighborhood.

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Policy Conflict

No. The mixture of housing that can be provided across the proposed RM9, R8, and RS10 zoning districts is consistent with NG policy. The only other requirement of the updated plan was that the average density of each of the planned NG neighborhoods was not to exceed nine housing units per acre. These zoning districts fulfill this.

In addition to the consistency with NG policy, the adjacent area to the west along Nolensville Pike has a Neighborhood Center policy, as also adopted in the July 2004 plan update. The mixture of housing that can be provided across RM9, R8, and RS10 zoning districts is consistent with the adjacent NC land use policy, providing a residential density that appropriately lessens as distance from Nolensville Pike increases, moving towards a less-densely developed NG, and then RLM policy.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS RECOMMENDATION

A TIS was required and has been submitted for review. Public Works is reviewing the TIS and all traffic mitigations must be made part of the Council Bill prior to 3rd Reading at Council.



Metro Planning Commission Meeting of 11/11/04

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)	112.54	0.5	56	610	49	64

Typical Uses in Proposed Zoning District: RM9 with PUD

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome (230)	13.33	9	103*	659	53	62

* Units proposed in PUD

Typical Uses in Proposed Zoning District: RS10 and R8 with PUD

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family attached and detached (210)	99.21	3.7 and 4.63	341*	3214	249	324

* Units proposed in PUD. 341 includes 51 duplex lots and 239 single-family lots

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
--				3263	253	322

METRO SCHOOL BOARD REPORT

Projected student generation

60 Elementary 50 Middle 42 High

Schools Over/Under Capacity

Students would attend Maxwell Elementary School, and Antioch High School. Maxwell Elementary and Antioch High School have been identified as being over capacity by the Metro School Board. There is no middle school within the Antioch cluster.

With the addition of Thomas Edison Elementary, there is capacity in the cluster for elementary school students. There is not capacity at the high school within the cluster, but in an adjacent cluster (McGavock) there is capacity for high school students. The fiscal liability for accommodating the new middle students is \$650,000. This information is based upon data from the school board last updated January 16, 2004.



Metro Planning Commission Meeting of 11/11/04

Planned School Capital Improvements

Land was purchased on Pettus Road in FY 03-04 in the Antioch cluster for a new middle school and a new elementary school. The School Board's proposed capital budget for FY 04-05 includes money to construct the middle and elementary schools and to purchase land for a new high school.

School site dedication

Due to the potential impact of this development on the public school system, the applicant is required by Planning Commission policy to offer for dedication a school site in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students. This land dedication requirement is proportional to the development's student generation potential. Such site shall be in accordance with the locational criteria of the Metropolitan Board of Education and shall be within the Antioch High School cluster. The Board of Education may decline such dedication if it finds that a site is not needed or desired. No final plat for development of any residential uses on the site will be approved until a school site has been dedicated to the Metro Board of Education or the Board has acted to relieve the applicant of this requirement.



Project No.
Project Name
Associated Case
Council Bill
Council District
Requested By

Planned Unit Development 2004P-035G-12
Burkitt Place PUD
2004Z-152G-12
None
31 - Toler
Civil Site Design Group, PLLC, applicant, for Ramsey McMurray, James N. McFarlin, and William T. McFarlin, et al, owners.

Staff Reviewer
Staff Recommendation

Leeman
Approve with Conditions

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary Planned Unit Development to allow for the development of 98 townhomes, 52 duplex lots (104 units), and 243 single-family lots for 445 total units on 111.70 acres, located along the south side of Burkitt Road, east of Nolensville Pike.

PLAN DETAILS

Site Design:

The proposed plan includes a variety of housing types, including 243 single-family lots, 98 townhomes, and 52 duplex lots. The proposed plan falls within the Southeast Community Plan's Neighborhood General (NG) Policy calling for a variety of housing types that are carefully arranged, not randomly located. The proposed plan meets the intent of this policy by arranging the higher density townhomes (9 units per acre zoning) adjacent to the Neighborhood Center policy area to the west. 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. It also provides a transition from the townhomes to the single-family homes by locating the duplex units in between the higher density and the lower density housing types.

Access & Connectivity:

The proposed PUD plan includes five stub-streets to surrounding property where future development may connect. It also provides one access point onto Burkitt



Metro Planning Commission Meeting of 11/11/04

Road and one access point onto Nolensville Pike through Williamson County. There are approximately 100 lots that are either in Williamson County or touch the Davidson/Williamson County line. The lots that touch the line are counted in the overall totals for this PUD. The lots that are completely within Williamson County are not counted as part of the PUD request in Davidson County.

Consistent with the Southeast Community plan policy, there is a north south connector street proposed within the PUD that will eventually provide an alternative north/south connection between this site, Burkitt Road, and the area north of Burkitt Road.

Road "U", which stubs-out to the west, will eventually provide a connection through the Neighborhood Center area located along Nolensville Road. This road will help to provide a pedestrian connection, as well as, a vehicular connection to this area.

The PUD plan also proposes a pedestrian trail through an open space area along the north side of the site at Burkitt Road. This area is intended to provide a visual transition from the existing large lots on the north side of Burkitt Road and the higher density development within this PUD.

Staff Recommendation

Staff recommends approval since the proposed zone change and PUD is consistent with the Southeast Community Plan's NG and RLM policies in that it provides a mixture of housing types with an appropriate transition and location of the different densities within the plan.

TRAFFIC PUBLIC WORKS RECOMMENDATION

A TIS was required and has been submitted for review. Public Works is reviewing the TIS and all traffic mitigations must be made part of the Council Bill prior to 3rd Reading at Council.

CONDITIONS (IF APPROVED):

1. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water



Metro Planning Commission Meeting of 11/11/04

Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.

2. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners signatures, to the Planning Commission staff for review.
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 prior to the issuance of any building permits.
5. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
6. A TIS was required and has been submitted for review. Public Works is reviewing the TIS and all traffic mitigations must be made part of the Council Bill prior to 3rd Reading at Council.



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

Zone Change 2004Z-153G-06
2004P-033G-06
None
35 - Tygard
9 - Norris
Seab A. Tuck III, Tuck Hinton Architects, applicant for owner, Loveless Properties, LLC

Deferral
Staff Reviewer
Staff Recommendation

Leeman
Approve

APPLICANT REQUEST

Rezone approximately 3.0 acres from residential single-family (RS40) to Commercial Limited (CL) property at 8400 Highway 100, west of Westhaven Drive.

Existing Zoning
RS40 district

RS40 requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

Proposed Zoning
CL district

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

BELLEVUE COMMUNITY PLAN POLICY

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

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.



Metro Planning Commission Meeting of 11/11/04

Policy Conflict

Although the proposed CL rezoning is not consistent with the established RLM policy, a pending amendment to the Bellevue Community Plan would change the land use policy for this portion of parcel 014 from RLM to Neighborhood Center (NC). The proposed zoning district (CL) is consistent with a NC policy. The proposed PUD includes a 6-unit motel, small retail buildings, and banquet hall facility that are consistent with the public benefit activities, open space, and small scale office and commercial uses that are allowed in the NC policy area.

In addition to being consistent with the proposed NC policy, the adjacent parcels on the corner of Highway 100 and McCrory Lane are currently zoned CL, as well as the parcels immediately south of Highway 100 (zoned for commercial use).

Finally, the proposed zone change will not create considerable new traffic along Westhaven Drive, because the proposed property has only a single access point along Highway 100.

RECENT REZONINGS

Parcel 055 was disapproved for a rezoning by the Planning Commission (CL to CS) on October 23, 2003, but approved in Council on November 18, 2003.

TRAFFIC PUBLIC WORKS RECOMMENDATION

An access study may be required at development; see PUD comments.

Typical Uses in Existing Zoning District: RS40

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	2.95	0.93	3	29	3	4

Typical Uses in Proposed Zoning District: CL with proposed PUD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Quality restaurant (931)	2.95	--	10,000	900	9	75



Metro Planning Commission Meeting of 11/11/04

Typical Uses in Proposed Zoning District: CL with proposed PUD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
hotel (310)	2.95	--	2,304 (6 rooms)	49	4	4

Typical Uses in Proposed Zoning District: CL with proposed PUD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	2.95	--	1,350	60	NA	4

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--		--		980	10	79



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

Planned Unit Development 2004P-033G-06
Loveless Café PUD
None
35- Tygard
9 - Norris
2004Z-153G-06
Seab Tuck, Tuck Hinton Architects, applicant for owner, Loveless Properties LLC

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD to permit 2,550 square feet of new retail uses, a 10,000 square foot banquet hall with 142 parking spaces with 66 deferred spaces, and a 2,304 square foot motel with 6 executive suites, at 8400 Highway 100, on the west side of Westhaven Drive. The PUD would include the 4,860 square foot existing restaurant and 3,072 square feet of existing retail uses.

ZONING & LAND USE POLICY
R40 to CL

This request for preliminary PUD approval is associated with a zone change request (2004Z-153G-06) to change the back portion of the Loveless parcel from R40 to CL, which would allow for development of the proposed retail uses and banquet hall.

Bellevue Community Plan
RLM and NC policy

The portion of parcel 014 that fronts Highway 100 currently has a Neighborhood Center (NC) policy, which is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Appropriate uses include single- and multi-family residential, public benefit activities, open space, and small scale office and commercial uses.

The portion of parcel 014 currently proposed for a zone change would go from R40, which is consistent with RLM policy, to CL, which is not. However, a pending amendment to the Subarea 6 Plan would change the land policy for this portion of parcel 014 from RLM to NC. The proposed zoning district (CL) is consistent with a NC policy.



Metro Planning Commission Meeting of 11/11/04

PLAN DETAILS

Site Design

The plan proposes 6 new retail structures totaling 2,550 square feet, a 10,000 square foot banquet hall, and a motel comprised of 6 executives suites.

For the proposed uses, 188 parking spaces are required. While 200 parking spaces were initially proposed to meet this requirement, 142 new spaces are planned for immediate development, with the option of 66 extra spaces to be developed in the future as additional parking demand is demonstrated.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

1. Provide second ingress/egress point on Westhaven.
2. Access study may be required if there is not a second access point on Westhaven.

Access

Staff recommends approval of the plan, as submitted, with a condition that any traffic mitigation measures recommended in the Access Study be included in the Council Bill prior to Third Reading at Council.

An additional access point on Westhaven would create unwanted commercial traffic along a residential street. An access study is being done to consider options other than a second access point, and Public Works will have further comments upon review of this and a parking study.

Environmental

The applicant is allowing for a 20' C-4 landscaping buffer along the northern edge of the property, between the proposed development and the residential area to the north. The buffer is also planned along the eastern edge of the parking lot.

CONDITIONS

1. Prior to Third Reading at Council, any traffic mitigation measures recommended in the Access Study must be included in the Council Bill.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be



Metro Planning Commission Meeting of 11/11/04

forwarded to the Planning Commission by the Traffic Engineering Section of the Metropolitan Department of Public Works.

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.



Project No.
Project Name
Associated Case
Council District
School District
Requested By

Subdivision 2004S-304U-12
Wolf Chase, final plat (formerly Pallisades)
None
31 - Toler
2 - Blue
Gresham, Smith & Partners, applicant, for Pulte Homes of Tennessee, LP, owner

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions.

APPLICANT REQUEST
Final Plat

Request for final plat approval to allow for the development of a 15-lot cluster lot subdivision.

This property is located along the south side of Cloverland Drive, across from the intersection of Church Street and the north-south portion of Cloverland Drive. The subdivision includes an additional 170 lots on 213 acres located in the City of Brentwood.

This request matches the approved preliminary plat; but the Southeast Community Plan update recently adopted by the Commission required that the Cloverland Drive Extension (aka Jones Parkway) to Williamson County be given special consideration prior to implementation.

AMENDMENT TO SOUTHEAST COMMUNITY PLAN: 2004 UPDATE

Concerning the following connections, care should be taken during implementation so that the quality of life for area residents is not adversely impacted. These connections are planned to take place in areas, which although not fully developed, have a substantial amount of development in place already that will be impacted by the planned connections.

Cloverland Drive Extension to Williamson County
The continued advisability of this connection, along with its impacts on the surrounding road network, should be carefully studied prior to implementation. This connection should also be implemented with great sensitivity to the quality of life of area residents.



Metro Planning Commission Meeting of 11/11/04

STAFF ANALYSIS

The Jones Parkway connection is shown on the Vehicular Network Plan (page 29 of the Southeast Community Plan) as a Proposed Collector Street.

Staff has reviewed the connection and its impacts on the surrounding road network. While the connection is necessary, it is possible that the existing roads in this area are not sufficient to handle the additional traffic that may be generated from a connection of Jones Parkway into Williamson County. This is an operational issue, however, and staff recommends that the Commission defer to Public Works for any decision as to whether the connection from Jones Parkway to Cloverland/Church Street should be temporarily blocked or any other steps that are required to address the existing road deficiency. The connection itself is necessary for efficient traffic patterns in the area in the future and is currently conditioned to not take place until the Jones Parkway connection to Old Smyrna Road in Williamson County is connected.

PLAN DETAILS

Cluster Lot Option

The subdivision plan utilizes the cluster lot option provided in the Metro Zoning Code for areas with environmental constraints. The applicant is using the cluster lot option because of hillside topography issues associated with this site. The plan proposes a reduction of lot sizes by two zone districts to the minimum of 20,000 square feet. The applicant is proposing 22.2% open space – which exceeds the minimum requirement of 15%.

Offset T-type Intersection Variance *Sec. 2-6.2.1(H)*

A variance was granted for a T-type intersection with the approval of the preliminary plat. The Metro Subdivision Regulations require that all offset t-type intersections, located along a collector street, be a minimum of 300 feet apart. Since the applicant is requesting to utilize the cluster lot option of subdivision development, staff recognizes that there are significant topographic constraints associated with this property. Because of these constraints, all lots have been brought adjacent to the proposed Jones Parkway collector street.



Metro Planning Commission Meeting of 11/11/04

Rather than proposing multiple driveways along a collector street – which is not preferred – the applicant is proposing small offset cul-de-sacs along Jones Parkway that will keep driveways off of the collector street. Therefore, staff recommends approval of this requested variance.

METRO PUBLIC WORKS’ RECOMMENDATION FROM JUNE 10, 2004

“The following mitigations by the developer will be required for Traffic approval of a subdivision plan with connections to Williamson County roads. These mitigations are based on the Traffic review of the Foxview development TIS dated January 9, 2004:

At the Cloverland Dr/ Old Hickory Blvd (OHB) intersection

(Planned EB right turn lane and NB left turn lane completion date is summer 2004.)

1. On Cloverland, install 12 ft wide northbound right turn lane with 375 ft storage length and transition per AASHTO standards.
2. On Cloverland, install a 2nd 12 ft wide northbound left turn lane. Provide 215 ft of storage length for both and 175 ft transition per AASHTO standards for both left turn lanes.
3. On Cloverland, restripe northbound through/right/left lane to thru lane only.
4. On Seven Springs, restripe southbound lanes to 2 left turn lanes and a right through lane.
5. On OHB install 12 feet wide eastbound through lane improvements approximately 750 feet each side of the OHB Edmondson Pike intersection vs. the eastbound lane between Edmondson Pike and I-65.
6. On OHB, increase westbound left turn lane storage length to 250 ft with transition per AASHTO standards.
7. Modify signal to provide optimum traffic movement with intersection redesign. Install Pedestrian signals per ADA standards.

At the Cloverland Dr/Church St intersection

1. Improve intersection geometry to improve lane alignment and identified storage lengths for turn lanes. Due to Row restrictions, a 15% skew of the intersecting roads will be allowed. Intersection design shall provide 3 southbound lanes, 2 eastbound lanes, 3 westbound lanes, and 2 northbound lanes. The developer shall also provide for optional driveway relocation for any neighboring properties impacted by the intersection redesign.
2. On project access road, install northbound 12 ft wide left turn lane with 150 ft storage length and transition per AASHTO standards.
3. On project access road, install 12 ft wide northbound through /right lane.
4. On Cloverland, install 12 ft wide southbound through lane.
5. On Cloverland, install new southbound right turn lane with 200 ft storage lane and transition per AASHTO standards.
6. On Cloverland, provide southbound left turn storage length of 300 ft. with 140 ft transition per AASHTO standards.



Metro Planning Commission Meeting of 11/11/04

7. On Church, restripe 2 way left turn lane to left turn lane with storage length as needed for both the eastbound and westbound left turn lanes.
8. On westbound approach, retain right turn lane with 100 ft of storage and AASHTO transition.
9. Modify existing signal to optimize traffic movements with intersection redesign.
10. Install pedestrian signals per ADA standards.

Cloverland Drive

1. Cloverland Drive is currently identified as a collector street. In lieu of the developer improving Cloverland Drive to collector status, the developer is to place \$200,000 in an escrow account acceptable to Metro. Such funds shall be spent at the discretion of the Department of Public Works to address roadway issues in the project's impact area.

Edmondson Pike/ Cloverland

1. Install and coordinate with Metro turn lane increased storage lengths as identified in TIS.
2. On Edmondson Pike, Increase northbound left turn lane storage length to 175 ft from Metro designed 150 ft length.
3. On Edmondson Pike, increase southbound right turn lane to 425 ft from metro designed 400 ft storage.

Other Condition Items

1. All roadway improvements are to be in place prior to issuance of any building permits or an improvement scheduled as approved by Public Works.
2. All drawings require a professional seal.
3. The Metro subdivision regulations require a minimum distance of 300 feet between offset T-type intersections. The preliminary plat as presented will require a variance.
4. If the connection to the existing Cloverwood Drive can not be made within the existing right-of-way using 30 mile/hour design criteria, then the new section of Cloverwood should be a cul-de-sac.
5. The preliminary plat approval is subject to Public Works' review and approval of construction plans.

PLANNING COMMISSION MINUTES FROM APPROVAL OF PRELIMINARY SUBDIVISION PLAN ON JUNE 10,2004

When the preliminary subdivision plat for this property was approved by the Planning Commission, the Commission included some of the conditions recommended by Public Works. The Commission agreed to accept a \$200,000 contribution from the developer, however, in lieu of requiring the reconstruction of Cloverland Drive. The amount of this contribution was approved by Public Works.



Metro Planning Commission Meeting of 11/11/04

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-166U-12 is **APPROVED WITH A CONDITION** that the Cloverland Drive/Church Street intersection in Metro Davidson County be reconstructed according to Metro Public Works’ conditions, to be done at the developer’s expense, and that \$200,000 shall be placed in an escrow account acceptable to Metro to offset the impact of this development on roadways within Davidson County. Such funds shall be spent at the discretion of the Department of Public Works to address roadway issues in the project’s impact area, and that Cloverwood Drive be provided with a permanent dead-end, and that the connection of Jones Parkway to Cloverland Drive take place simultaneously with the connection to Old Smyrna Road in Williamson County. (9-0)

Conditions of Approval:

At the Cloverland Dr/Church St intersection

1. Improve intersection geometry to improve lane alignment and identified storage lengths for turn lanes. Due to Row restrictions, a 15% skew of the intersecting roads will be allowed. Intersection design shall provide 3 southbound lanes, 2 eastbound lanes, 3 westbound lanes, and 2 northbound lanes. The developer shall also provide for optional driveway relocation for any neighboring properties impacted by the intersection redesign.
2. On project access road, install northbound 12 ft wide left turn lane with 150 ft storage length and transition per AASHTO standards.
3. On project access road, install 12 ft wide northbound through /right lane.
4. On Cloverland, install 12 ft wide southbound through lane.
5. On Cloverland, install new southbound right turn lane with 200 ft storage lane and transition per AASHTO standards.
6. On Cloverland, provide southbound left turn storage length of 300 ft. with 140 ft transition per AASHTO standards.
7. On Church, restripe 2 way left turn lane to left turn lane with storage length as needed for both the eastbound and westbound left turn lanes.
8. On westbound approach, retain right turn lane with 100 ft of storage and AASHTO transition.
9. Modify existing signal to optimize traffic movements with intersection redesign.
10. Install pedestrian signals per ADA standards.

Other Condition Items

1. In lieu of the developer improving Cloverland Drive to collector status, the developer is to place \$200,000 in an escrow account acceptable to Metro. Such funds shall be spent at the discretion of the Dept. of Public Works to address roadway issues in the project’s impact area.
2. All roadway improvements are to be in place prior to issuance of any building permits or an improvement scheduled as approved by Public Works.
3. All drawings require a professional seal.
4. The Metro subdivision regulations require a minimum distance of 300 feet between offset T-type intersections. The preliminary plat as presented will require a variance. If the connection to the existing Cloverwood Drive can not be made within the existing right-



Metro Planning Commission Meeting of 11/11/04

of-way using 30 mile/hour design criteria, then the new section of Cloverwood should be a cul-de-sac.

5. The preliminary plat approval is subject to Public Works' review and approval of construction plans.
6. Prior to the recordation of any final plat for the proposed subdivision, roadway improvements, as required by Metro Public Works, shall be completed or bonded with the first final plat."

CONDITIONS

1. The final plat must comply with all conditions of preliminary plat approval, including that the connection of Jones Parkway to Cloverland Drive must not take place prior to the connection of Jones Parkway to Old Smyrna Road in Williamson County.
2. Prior to the recordation of any final plat for the proposed subdivision, roadway improvements, as required by Metro Public Works, shall be completed or bonded with the first final plat.
3. Prior to the recordation of the final plat, approvals shall be obtained from Water Services for stormwater and water and sewer service, and infrastructure improvements shall be bonded.



Project No.	Subdivision 2004S-319U-05
Project Name	Sleep Inn, Resub. (Sidewalk Variance)
Associated Cases	None
Staff Reviewer	Leeman
Council District	2 - Isabel
School District	5 - Hunt
Requested By	Dale and Associates, Inc, surveyor, for Maverick Management, LLC, owner.
Staff Reviewer	Leeman
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Final Plat	Request for final plat approval to remove an unbuilt sidewalk from an 280 foot long section of the plat (including an offsite sidewalk requirement from the original approval) for property fronting on Dickerson Pike.
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**ZONING
CS District**

Commercial Service is intended for retail, consumer service, financial, restaurant, office, auto-repair, auto sales, self-storage, light manufacturing and small warehouse uses.

Sidewalk Requirements

Since this property falls within the Urban Services district, the recently adopted sidewalk requirements in the Subdivision Regulations require sidewalks to be built, or for a financial contribution to the Pedestrian Network as an alternative to the sidewalk installation to be made to the Metropolitan Government.

Currently, the amount to be paid is \$92 per linear foot, which amounts to approximately \$25,760.

SUBDIVISION HISTORY

On October 24, 2002, the Planning Commission approved the final plat to subdivide 4.27 acres into two lots. A variance was granted for the sidewalk requirement on Homestead Road, but not for Dickerson Pike.

Because there were several obstacles that hindered the sidewalk from being constructed in accordance with standards at the time, which included 5 feet of sidewalk, 4 foot grass strip, and curb and gutter, the Planning Commission allowed for a variance to the



Metro Planning Commission Meeting of 11/11/04

standards to eliminate the 4-foot grass strip along Dickerson Pike. At the property line between parcels 16 and 100 there are several utility poles as well as two utility meters. In order to keep from relocating the meters and poles the applicant proposed constructing the sidewalks from the beginning of the pole area on parcel 16 to the end of the pole area on parcel 100 without the 4 foot grass strip. The Planning Commission also approved this request.

Dickerson Pike

Dickerson Pike at this location has 60 feet of pavement and 84-feet of right-of-way. There is a slight drainage swale. Dickerson Pike will not require any widening since the existing right-of-way is sufficient for the construction of sidewalks.

Staff Recommendation

Disapprove Variance. Staff recommends disapproval since a variance was granted along Homestead, partly, in exchange for a sidewalk to be built along Dickerson Pike. If the sidewalk is not constructed along Dickerson, or a financial contribution is not made, staff recommends that the original request be reconsidered, including the variance along Homestead Road. A continuous sidewalk network along Dickerson Pike from the southern property line of parcel 16 to the southern property line of parcel 17, or a contribution to Metro for the pedestrian network pursuant to the new Subdivision Regulations, will serve to further pedestrian accessibility in the area.

PUBLIC WORKS' RECOMMENDATION

No Exception Taken.



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

Planned Unit Development 154-73-G-14
Hermitage Woods – Raintree Village
None
None
12 - Gotto
4 - Nevill
Paul W. Lockwood, of Barge, Waggoner, Sumner & Cannon, applicant for owner, Davco O.H. Blvd. Properties

Staff Reviewer
Staff Recommendation

Fuller
Disapprove

APPLICANT REQUEST
Cancel PUD

Request to cancel a 10.65 acre portion of an existing Planned Unit Development, approved for 74 multifamily units, located at Old Hickory Boulevard (unnumbered), north of Central Pike.

DETAILS OF REQUEST

History

The approved preliminary PUD plan allowed for the construction of 128 townhomes on 23.47 acres, including parcel 355. The land for six of the units was lost when TDOT acquired 0.65 acres for right-of-way. After the completion of 48 of the 128 planned homes, a new plat was recorded that established phase lines dividing the 128 units into three sections. When the bank subsequently foreclosed on the project, the three sections were converted into properties to be owned separately. Davco-O.H. Properties acquired the vacant 10.65 acres in 1988, and now wishes to cancel the PUD in order to construct condominiums, as well as create another access point from the parcel to Old Hickory Boulevard.

Donelson-Hermitage Community Plan Policy

The subject site is located within Residential Medium (RM) density policy, which accommodates residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Policy Conflict

No. The current RM9 zoning on the property is consistent with the RM land use policy. The RM9



Metro Planning Commission Meeting of 11/11/04

TRAFFIC PUBLIC WORKS RECOMMENDATION

zoning would allow 95 units to be constructed, 21 more than are currently permitted by the PUD.

Traffic does not support cancellation of the PUD unless access to the cancelled portion is by way of the approved PUD roadway. This PUD was approved with the consolidation of potential driveways along Old Hickory Boulevard into one major access point at Hermitage Woods Drive.

STAFF RECOMMENDATION

Based on the Public Works recommendation, staff recommends disapproval of the request to cancel this portion of the existing Planned Unit Development. The applicant's stated purpose for removing the PUD is to gain separate access on to Old Hickory Boulevard. Since the Traffic Division of Public Works has recommended against allowing the additional access, the property needs to stay within the PUD in order to access the network of internal streets.



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

Planned Unit Development 64-85-P-05
Greenfield Plaza Kroger PUD
None
8 – Hart
5 - Hunt
None
CEI Engineering, for Cargill Incorporated, owner.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions.

APPLICANT REQUEST
Preliminary PUD

Request to amend the preliminary PUD plan to permit the addition of 21,229 square feet to the existing 45,297 square foot grocery store at the southeast corner of the intersection of Gallatin Pike and Greenfield Avenue.

Zoning (CL district)

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

Subarea 5 Plan's Policy

CAE policy is intended to recognize existing areas of "strip commercial" which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The predominant uses include retail and office activities such as eating establishments, automobile sales, rental, and service, hotels and motels, and consumer services.

PLAN DETAILS

Site Design

The plan proposes additional square footage for the expansion of the existing grocery store, totaling 64,375 square feet. Access is provided from Greenfield Avenue, Gallatin Pike, and Shelton Avenue, which are existing access points. The total parking spaces proposed is 258, which exceeds the required parking requirement for the requested square footage. The parking area is also to be reconfigured. This expansion will be completed in one phase.



Metro Planning Commission Meeting of 11/11/04

Access

Public Works has requested an access study. This study shall be submitted and approved prior to final PUD approval.

Stormwater

The Stormwater Division of the Metro Water Services Department has requested additional information. This information shall be submitted and approved by the Stormwater Division prior to final PUD approval.

STAFF RECOMMENDATION

Staff recommends approval with conditions. The PUD amendment complies with the zoning and PUD requirements, as well as, the land use policy in the area.

CONDITIONS

1. Prior to final PUD approval, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works, including approval of the required access study and drainage and grading plans.
2. 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.
3. 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.



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

Planned Unit Development 7-87-P-12
Haywood Oaks
None
None
30 - Kerstetter
2 - Blue
Duke Realty Limited Partnership, owner

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST
Revision/Final PUD

Request to permit a change in use to Religious Institution for a 28,350 square foot portion and an 11,000 square foot portion of two existing buildings approved for Office/Showroom, Wholesale Sales, and Warehouse uses.

DETAILS OF REQUEST

The church proposed in building six consists of 3,900 square feet of space and will have a maximum of 60 parishioners (seats in sanctuary) at full capacity. The applicant is also requesting to have up to 21.5% of the square footage of the two buildings to be used as a church in the future.

Zoning (CS district)

Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto-repair, auto sales, self-storage, and light manufacturing and small warehouse uses. Religious institutions are a permitted use in the CS district.

TRAFFIC PUBLIC WORKS RECOMMENDATION

No Exception Taken.
The potential use of 39,350 square feet of office for Church services will occur on Wednesday nights and Sundays. These are non-peak travel times. The approved plan for building 6 showed 500 parking spaces and Building 7 had 120 spaces. Parking during non-office hours is adequate.

STAFF RECOMMENDATION

Staff recommends approval because the requested use, Religious Institution, will be a compatible use in the office complex and will allow utilization of the office park at non-peak hours.



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

Planned Unit Development 89P-013U-12
Hickory Bell Retail PUD
None
31- Toler
2 - Blue
None
Dale and Associates, Inc. for Steak N Shake, owner,
and Smith Brothers, Car Wash, optionee.

Staff Reviewer
Staff Recommendation

Leeman
Disapprove

APPLICANT REQUEST
Revise Preliminary & Final PUD

Request to revise a Preliminary PUD and for Final approval to permit a 3,737 square foot drive-thru car wash, replacing an existing 3,670 square foot fast-food restaurant, located along the south side of Old Hickory Boulevard, 1,100 feet east of Nolensville Pike.

ZONING
Shopping Center Regional
Within Commercial PUD

SCR district is intended for high intensity retail, office, and consumer service uses for a regional market area. Under the SCR district, a drive-thru car wash is classified in the Zoning Code as a Permitted with Conditions (PC) use.

History

This Commercial PUD was originally approved in 1989, and included 48,000 square feet of office, general retail, and fast-food.

Permitted with Conditions
Standards

- 3. Automatic Car Wash
 - a. One automatic car wash, capable of washing only one car at a time, shall be located fifty feet away from any residential zone district or district permitting residential use.
 - b. All washing facilities shall be located within a building which is enclosed except those openings necessary for vehicular and pedestrian access. Such openings shall not face any adjacent residentially zoned property.
 - c. If located within one hundred feet of a residential zone district or district permitting residential uses,



Metro Planning Commission Meeting of 11/11/04

operation of the establishment shall be prohibited prior to eight a.m. or after ten p.m. on any day of the week.

PLAN DETAILS

This plan proposes to convert the existing fast-food restaurant building into a drive-thru car wash.

Site Design

The proposed drive-thru car wash includes access to an internal private driveway. There is no direct access to Old Hickory Boulevard. The plan also includes 16 vacuum bays.

Variances

Section 17.40.120L3a of the Zoning Code requires that with any revision to a PUD adopted prior to the 1998, ordinance, the current Landscaping and Parking requirements shall apply. The Code requires a type “D” Landscape Buffer from the SCR district to the adjacent AR2a district to the east. Type “D” buffers are a minimum width of 15 feet with an 8’ masonry wall, or 30 feet without a wall. The proposed plan includes an 8 foot wide landscape buffer, requiring a zoning variance.

Section 17.24.070 requires a 10 foot “scenic landscape easement” and shall be planted with a Standard “A” landscape buffer yard (minimum of 10 feet wide).

The Planning Commission makes a recommendation to the Board of Zoning Appeals regarding variances within a PUD.

Staff Recommendation

Staff recommends disapproval since the proposed plan fails to meet the Zoning Code requirements for landscaping, including landscape buffers and the Scenic Landscape easement along Old Hickory Boulevard.

The original PUD was not approved for a car wash use and without significant upgrades to the appearance and landscaping of the site, staff recommends disapproval of this PUD revision.

TRAFFIC PUBLIC WORKS RECOMMENDATIONS

1. Please note that the existing sidewalk on Old Hickory Boulevard shall be brought up to compliance with current Metro standards if not already in compliance.
2. Provide cross-access to adjacent properties on all sides.



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

Planned Unit Development 97-026U-07
West End Station PUD
None
24 - Summers
9 - Norris
None
Russell Pitzer, Gresham Smith and Partners, applicant for owner, Eric Edee, Westwood Nashville LLC

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions, as a revision to preliminary and final.

APPLICANT REQUEST
Final PUD

Request for final PUD approval for 46 townhomes on 5.18 acres, at 218 36th Avenue North and 3526 Nebraska Avenue, west of I-440.

Although the applicant has requested final PUD approval, staff recommends approval as a revision to preliminary and final, since the proposed plan changes the building footprints, parking layout and open space configuration.

PLAN DETAILS

History

This Residential PUD was originally approved in 1997, for 46 townhomes on 5.18 acres at 8.88 units per acre. The PUD is currently undeveloped.

Site Design

The applicant again proposes 46 townhomes. The original PUD plan proposed a large parking lot for the interior of the PUD, but the site plan has been modified to include a central open space area. This open space area is proposed because each unit now includes a garage.

The proposed units along 36th Avenue North have been reoriented to front the street. Those in the interior of the PUD have been oriented to front the open space once reserved for a large parking area. Overall, the plan has improved, from a design standpoint, with units facing public open space areas, and units facing 36th Avenue North.

Access

Access to the PUD was originally approved along 36th Avenue and Nebraska Avenue to the south. The



Metro Planning Commission Meeting of 11/11/04

Open Space

proposed plan is consistent with the original access points approved by Council. Private roads are proposed through the development.

The Council-approved plan had 0.81 acres devoted to building coverage and 1.03 acres devoted to parking and streets, leaving the remaining 3.34 acres (65%) to open space. The proposed plan has 2.74 acres of open space (53%). The currently Zoning Ordinance does not have a minimum open space requirement.

Stormwater

The applicant is providing a detention pond along the northeastern part of the development. Various tree species are provided along the perimeter and within the interior of the development to satisfy Metro landscaping requirements. Silt fence barriers are proposed along the northern and eastern limits during construction.

TRAFFIC PUBLIC WORKS RECOMMENDATIONS

Traffic recommends that the applicant provide and submit documentation of adequate sight distance at the access drive on Nebraska Avenue.

Staff Recommendation

Since this plan is consistent with the original Council-Approved plan, staff recommends approval with conditions as a revision.

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.



Metro Planning Commission Meeting of 11/11/04

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 prior to 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.



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

Planned Unit Development 2003P-009U-08
Parc at Metrocenter, Phase 1

None
None
2 - Isabel
1 - Thompson
Ragan-Smith Associates, Inc., applicant for American Realty and Trust, owner.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions.

APPLICANT REQUEST
Final PUD

Request for final PUD approval to for the development of 144 multi-family units in Phase 1. The 10.26 acre site is located on the north side of Dominican Drive and the west side of Athens Way.

PLAN DETAILS

This residential PUD was adopted by the Metro Council on July 15, 2003 (BL 2003-1440), to permit the development of 224 multi-family units total.

TRAFFIC PUBLIC WORKS RECOMMENDATION

No details were shown for the proposed sidewalk and concrete ramps on Athens Way. Show Metro ST-210 sidewalk and Metro ST-314 concrete ramps on Athens Way. Label curb and gutter as new or existing. If new, show Metro ST-200 curb and gutter. Note that the existing sidewalk on Dominican Drive shall be brought up to compliance with current Metro standards if not already in compliance. A handicap access ramp is required at the intersection of Dominican Drive and Athens Way if none already exists.

Traffic Comments

Comply with all conditions prior to the issuance of the Use and Occupancy Permit.

At Athens Way and South Access Drive:
1. Install striping per Fig 7 of TIS dated 4/20/04
2. Install 24 ft. maximum width driveway
3. Show stop sign

At Athens Way and North Access Drive:
1. Install a northbound left turn lane with 100 feet of storage designed per AASHTO standards.



Metro Planning Commission Meeting of 11/11/04

2. Maximum driveway width shall be 24 feet.

3. Show stop sign

4. Remove stop bar on Athens Way

Provide signal plan for pedestrian facilities at Dominican Drive and Metrocenter Boulevard. All striping per MUTCD and shall be thermoplastic. Signs shall be 3M, high intensity reflective material. Include note on all plans.

STAFF RECOMMENDATION

Staff recommends approval with conditions. This final PUD plan is consistent with the preliminary PUD plan approved by the Planning Commission on May 22, 2003.

CONDITIONS

1. Comply with Public Works conditions of approval.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
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 prior to 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



Metro Planning Commission Meeting of 11/11/04

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.



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

Planned Unit Development 2004P-029U-11
Nolensville Center PUD
None
16 – McClendon
7 - Kindall
2004Z-030U-11
Shaun Shirzad Etemadi, owner

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD to permit an existing car sale operation within a 1,350 square foot building, located between Nolensville Pike and Hester Avenue.

ZONING & LAND USE POLICY
CS and R6

Parcel 044 was approved with conditions by the Commission on February 26, 2004, to change to the CS district, with a condition that no access be permitted from Hester Avenue. This zone change request has not been to Council.

PLAN DETAILS

Site Design

The plan proposes an auto sales operation with a 1,350 square foot building. The existing office building will be removed upon completion of the proposed building. The total area of the property is 0.46 acres (20,192 sq. ft.).

Billboard

The existing billboard should be removed based on Section 17.30.150A, which states that “billboards are prohibited on any property within a planned unit development (PUD) overlay district, regardless of the underlying zoning district, unless expressly permitted as part of an approved development plan by the metropolitan council.”

Access

Access is proposed from both Nolensville Pike and Hester Avenue. The applicant proposes personnel access from Hester Avenue, however, the Commission recommended that no access be allowed from Hester Avenue with the zone change request. Hester Avenue is mainly a residential street and commercial traffic



Metro Planning Commission Meeting of 11/11/04

Water Quality Concept

should not be introduced into this area. The personnel entrance and special note #6 would need to be removed from the plan based on the Commission's recommendation of the zone change. No vehicular access shall be allowed from Hester Avenue.

Landscape Buffer yards

The water quality concept is not shown on the plan and the Stormwater Division of Metro Water Services has requested that it be shown.

The appropriate landscape buffer yards are shown on the plan except for where the new office building is proposed. The adjacent property has been not been rezoned to CS. Until this property is zoned CS, then the landscape buffer yard will be required.

STAFF RECOMMENDATION

Staff recommends disapproval of the PUD. The plan fails to address the access from Hester Avenue, water quality, and additional landscape buffer yards. The plan shows pedestrian access, however, note #6 implies that vehicular access may be allowed. No vehicular access shall be allowed from Hester Avenue. If approved, a revised preliminary plan would need to be submitted to address these concerns.



Project No.

Urban Design Overlay

2001UD-001G-12

Lenox Village, Phase 7

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

None
31 - Toler
2 - Blue
Anderson – Delk & Associates, Inc., applicant, for
McGowan Family Limited Partnership, owner

**Staff Reviewer
Staff Recommendation**

Fuller
Defer until Traffic Impact Study phasing plan is approved by Public Works. If the applicant does not wish to defer, staff recommends disapproval.

APPLICANT REQUEST

Approval of final UDO plan for Phase 7 to permit development of 54 townhouses, 12 single-family rear access homes, and 14 single-family street access homes, on a total of 11.45 acres.

TRAFFIC PUBLIC WORKS RECOMMENDATION

No studies have been submit to change Traffic's recommendations. A phasing plan for improvements has still not been submitted.

Comments provided October 11, 2004:

This phase appears to be located in the Amendment to Lenox Village that was adoped July 15, 2003. The amendment required a Traffic Impact Study. Many roadway mitigations were required for this additional development. Per the conditions of previous approvals, roadway mitigations shall be installed prior to approval or a development phasing plan with TIS documentation shall be submitted and approved.

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.



Metro Planning Commission Meeting of 11/11/04

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



Metro Planning Commission Meeting of 11/11/04

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”

RECOMMENDATION

Staff recommends deferral, subject to TIS phasing plan being submitted to Public Works and approved.

RECOMMENDED CONDITIONS (IF APPROVED):

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. 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.



Project No.
Project Name

Mandatory Referral 2004M-093U-13
Antioch Center Greenway Easement
Acquisition

Council Bill
Council District
Requested by

None
28 – Alexander
Metro Legal

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A Council bill ordinance authorizing the Director of Public Property, or his designee, to accept and record an easement in favor of the Metropolitan Government for use in connection with development of the greenway system, located at the intersection of Richards Road and Antioch Pike, Marshall Karr, Trustee, property owner.

APPLICATION REQUIREMENTS

None.

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Emergency Communications Center, and Nashville Electric Service (NES).

Planning staff also supports the request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-109U-08
Property Acquisition on Hughes Street
None
2 – Isabel
Metro Finance Department

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A Council bill approving and authorizing the Director of the of Public Property to execute a warranty deed and donation of a parcel of property from Joy R. Karr, requested by the Metro Finance Department, Real Property Division.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Metro Historical Commission, and Nashville Electric Service (NES).

Planning staff also supports the request.



**Project No.
Project Name**

**Mandatory Referral 2004M-110U-13
Name private drive to "Nashboro Greens"**

**Council Bill
Council District
Requested By**

None
29 – Wilhoite
Metro Public Works

**Staff Reviewer
Staff Recommendation**

Kleinfelter
Approve

APPLICANT REQUEST

Request to name private drives to "Nashboro Greens," requested by Metro Public Works.

The homes in this portion of the Nashboro Village Planned Unit Development have been assigned Longhunter Court addresses, but are actually located on a series of private drives. Metro Council has the authority to name private streets that have not been accepted as public right-of-way "in order to provide better public services, particularly emergency services, to the residents of the metropolitan Nashville area." Metro Code §13.08.020.

After discussing this proposal with Councilmember Wilhoite, Public Works has proposed to name the private drive sections "Nashboro Greens," "Nashboro Greens Court," and "Nashboro Greens Way."

This street renaming is being proposed because it has caused confusion for emergency services and others when attempting to locate units in your development.

DEPARTMENT AND AGENCY COMMENTS

No responding departments or agencies take exception.

RECOMMENDATION

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



Project No.
Project Name
Council Bill
Council District
Requested By

Mandatory Referral 2004M-111G-12
Aerial encroachment: Lenox Village awnings
None
31 – Toler
Lenox Village I, LLC

Staff Reviewer
Staff Recommendation

Kleinfelter
Approve

APPLICANT REQUEST

A request for aerial encroachment into Metro right of way at Lenox Road, approximately 250 feet east of Nolensville Pike for six awnings, proposed to encroach from 8.5 inches to 2 feet into the right of way.

DEPARTMENT AND AGENCY COMMENTS

No responding departments or agencies take exception.

RECOMMENDATION

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

Planning staff also recommends approval.



**Project No.
Project Name**

**Mandatory Referral 2004M-112U-10
Abbott Martin Road-Crestmoor Road
Easement Abandonment and Relocation**

**Council Bill
Council District
Requested by**

None
25 – Shulman
Metro Water and Sewerage Services

**Staff Reviewer
Staff Recommendation**

Harris
Approve

APPLICANT REQUEST

A request for easement acquisition for a sanitary sewer and water line easement abandonment and relocation at properties located along Abbott Martin Road-Crestmoor Road, Metro Water Services Project No. 04-SL-91 & 04-WL-79, 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 Nashville Electric Service (NES).

Planning staff also supports the request.



**Project No.
Project Name**

**Mandatory Referral 2004M-113U-11
Casey Atwood Storm Drainage Easement
Acquisition**

**Council Bill
Council District
Requested by**

None
17 – Greer
Metro Water and Sewerage Services

**Staff Reviewer
Staff Recommendation**

Harris
Approve

APPLICANT REQUEST

A request for a Stormwater easement acquisition for a permanent drainage easement at 310 Newsome St., Metro Water Services Project No. 04-DL-0729, 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 Nashville Electric Service (NES).

Planning staff also supports the request.



Project No.
Project Name

Mandatory Referral 2004M-114U-13
AMPPI Enterprises, LLC Storm Drainage
Easement Acquisition

Council Bill
Council District
Requested by

None
3 – Hughes
Metro Water and Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for a Stormwater easement acquisition for a permanent drainage easement at 3211 Franklin Limestone Rd., Metro Water Services Project No. 04-DL-0728, 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 Nashville Electric Service (NES).

Planning staff also supports the request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-115G-02
Jenkins Properties Easement Acquisition
None
3 – Hughes
Metro Water and Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for an easement acquisition for a permanent storm drainage easement at 3438 Dickerson Pk., Metro Water Services Project No. 04-DL-0727, 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 Nashville Electric Service (NES).

Planning staff also supports the request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-116U-11
Vulcan Holdings Easement Acquisition
None
16 – McClendon
Metro Water and Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for an easement acquisition for a permanent detention area at 485 Allied Dr., Metro Water Services Project No. 04-DL-0726, 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 Nashville Electric Service (NES).

NES has an overhead line easement in the area along the westerly boundary of Vulcan Drive Right-of-Way.

Planning staff also supports the request.



Project No.
Project Name

Mandatory Referral 2004M-117G-06
Emmanuel Presbyterian Church Easement
Acquisition

Council Bill
Council District
Requested by

None
35 – Tygard
Metro Water and Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for an easement acquisition for a permanent drainage easement at 9770 Highway 96, Metro Water Services Project No. 04-DL-0725, 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 Nashville Electric Service (NES).

Planning staff also supports the request.



**Project No.
Project Name**

**Mandatory Referral 2004M-118U-07
Richland Creek/Charlotte Pike Sewer
System Rehabilitation**

**Council Bill
Council District
Requested by**

None
24 – Summers
Metro Water and Sewerage Services

**Staff Reviewer
Staff Recommendation**

Harris
Approve

APPLICANT REQUEST

A request for an easement acquisition for Richland Creek/Charlotte Pike System Rehabilitation for permanent easements at 100 White Bridge Pk., Knob Rd. (unnumbered), 5401 Knob Rd., and 4601 Murphy Rd., Metro Water Services Project No. 93-SC-25P, 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 Nashville Electric Service (NES).

Planning staff also supports the request.



Project No.
Project Name

Mandatory Referral 2004M-119U-11
Aerial encroachment: awning at
415 Chestnut Street

Council Bill
Council District
Requested by

None
17 - Greer
Letter Logic, applicant for James S. Lewis, owner

Staff Reviewer
Staff Recommendation

Kleinfelter
Approve

APPLICANT REQUEST

A request for an aerial encroachment to permit a wall-mounted 15-foot 6-inch awning, 7 feet above the ground, located at 415 Chestnut Street, by Letter Logic, applicant, for James S. Lewis, owner.

The requested awning will extend no more than 2-feet into the right of way from the face of the building.

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, Metro Public Works, Water Services, Stormwater, and NES.

Planning staff also recommends approval.



Project No.
Project Name

Mandatory Referral 2004M-120U-09
Aerial encroachment -- signs at 350
Deaderick Street

Council Bill
Council District
Requested by

None
06 - Jameson
Joslin & Son Signs, for PSG CT Series, LLC, owner

Staff Reviewer
Staff Recommendation

Kleinfelter
Approve

APPLICANT REQUEST

A request for an aerial encroachment to permit two wall-mounted 200 square foot signs, 25 feet above the ground over Deaderick Street and Charlotte Avenue located at 350 Deaderick Street, by Joslin & Son Signs, applicant, for PSG CT Series, LLC, owner.

The requested signs will extend approximately 10 feet into the right of way from the face of the building.

DEPARTMENT AND AGENCY COMMENTS

No responding departments or agencies take exception. The plans for the sign have been reviewed by staff for the Metro Historical Commission because the proposal is located between two Metropolitan Development and Housing Authority (MDHA) redevelopment districts. Historical Commission staff is discussing the signs with the applicant and has informed Planning Staff that the Historical Commission has no recommendation for this application.

RECOMMENDATION

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

Planning staff also recommends approval.



Project No.
Council Bill
Council District
Requested by

N/A
None
6 – Jameson
Metropolitan Development and Housing Agency

Staff Reviewer
Staff Recommendation

Kleinfelter
Approve

APPLICANT REQUEST

Approve changes to Capitol Mall Redevelopment Plan for Tract 74A (Ryman Auditorium parking lot site) and several tracts south of Broadway.

DETAILS

The Metropolitan Development and Housing Agency (MDHA) has proposed changes to two parts of the Capitol Mall Redevelopment Plan. The areas of the proposed changes are shown on the map accompanying this staff report.

The primary change to Tract 74A is to allow office uses as a principal use within that area. The primary changes for the tracts south of Broadway is to allow residential uses as a principal use and to add language referencing structures that did not exist when the plan was last amended. The specific changes proposed by MDHA are set out at the end of this staff report.

SUBAREA 9 PLAN

Central Business District (CBD)

The Central Business District is designed and intended specifically for the heart of the downtown area and the surrounding area that contains supporting uses. Although offices are the predominant type of development, the CBD contains a diverse array of land uses including residential, retail, entertainment, community facilities and government services.

Tract 74A was identified in the Plan as a potential urban development site. “The overriding planning theme for Subarea 9 is to reinforce the downtown core district. . . . The intensification of activities in the central core should continue to be pursued as a valid goal. . . . Although the central core is intensely developed, opportunities still exist for appropriate infill development.”



Metro Planning Commission Meeting of 11/11/04

The tracts south of Broadway also are within the CBD. According to the Subarea 9 Plan, “[f]uture development south of Broadway should compliment and reinforce activities in the central core.”

Policy Conflict

None. The proposed changes to the Capitol Mall Redevelopment District do not affect the zoning on the property. In addition, the proposed changes are consistent with the goals of the Subarea 9 Plan.

MDHA Proposed Plan Language for Tract 74A

Intent: To develop existing surface parking on the block for any of a variety of high intensity uses and to preserve and enhance the historic structures on Lower Broadway and the Ryman Auditorium .

Principal Uses: Entertainment, commercial/retail, residential, office, parking, museums, and public spaces.

Design Objectives: The Ryman Auditorium should be renovated as a museum or other appropriate use and be incorporated into the development of this block, which will include public park, plaza or pedestrian mall space. The development is envisaged to consist of a mixture of low-rise buildings, ranging up to twelve stories, all carefully integrated with tower developments, which may range up to twenty-three stories. The tallest structures shall be built on Commerce Street with the scale diminishing toward Broadway. The scale of structures on the block should diminish from Commerce Street, where high-rise structures may be appropriate, to Lower Broadway. New construction on the existing parking lot north of the Ryman Auditorium should be designed to foster pedestrian traffic along the adjacent streets and should not unduly diminish the character of the Ryman Auditorium or the visibility of the Ryman’s west façade. Façade guidelines of the Market and Design Study for Broadway will be the basis for design review on parcels in the Broadway National Register Historic District. In addition to preserving the Ryman Auditorium, historically significant buildings on Broadway will be preserved and integrated into the development and any deteriorating facades will be repaired and upgraded. New construction located immediately behind the buildings fronting on Broadway or on Broadway itself will be compatible with the earlier buildings in materials, size, scale, height, proportion, orientation, color and texture. Contemporary design must be compatible with the character of the Broadway Historic District, but any new structures should not imitate past architectural styles. Care should be taken in the design of new development on this block to promote the economic revitalization of the Broadway Historic District.

Vehicle Access: Not restricted.



Metro Planning Commission Meeting of 11/11/04

MDHA Proposed Plan Language for Tracts 91A, 94A, 95A, 96A, 97A, 98A, 99A, and 100A (south of Broadway)

Intent: To provide land for a variety of new high intensity uses compatible with existing civic and cultural facilities located south of Broadway, including the Gaylord Entertainment Center, Country Music Hall of Fame and Museum, and Schermerhorn Symphony Center.

Principal Use: Arts and entertainment, office, retail, hotel, residential, structured parking, civic facilities, and public spaces.

Design Objectives: The redevelopment of these blocks should be planned and designed to accommodate high intensity development supportive of a strong pedestrian environment in the area south of Broadway. The scale and orientation of new development south of Broadway should emphasize the importance of Demonbreun Street, 5th Avenue, and any future extension of Gateway Boulevard as primary streets in the area.

Vehicle Access: Not restricted, except for new development located on any future extension of Gateway Boulevard from which access will be restricted.