



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2002Z-099U-12
None
None
Hardison

Staff Recommendation

Disapprove as contrary to the General Plan. The proposed zoning is inconsistent with the Subarea 12 Plan's Residential Medium (RM) Policy.

APPLICANT REQUEST

Rezone 1.12 acres from Agricultural (AR2a) to Commercial Service (CS) at 529 Benzing Road and Bell Road (unnumbered).

Existing Zoning
AR2a zoning

AR2a zoning is intended for agricultural uses and residential uses requiring 2 acres per lot.

Proposed Zoning
CS zoning

CS is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

SUBAREA 12 PLAN POLICY
Residential Medium (RM)

RM policy is intended for 4 to 9 dwelling units per acre. A variety of housing types are appropriate for the RM areas, including compact single-family detached units, townhomes and walk-up apartments.

Policy Conflict

Yes. These properties are located in the Subarea 12 Plan's Residential Medium (RM) Policy area this rezoning is inconsistent with the intent of RM policy. The subarea plan states the following:
“Within this RM area, commercial development is occurring.... in conformance with the unmapped Retail Neighborhood (RN) policy. This retail policy is designed to meet the recurrent primary needs of the neighborhood and expansion of this commercial area is not recommended.”
This unmapped commercial node is located at the intersection of Bell Road and Old Hickory Boulevard. These properties are over 1,200 feet to the east of that intersection and is in no way considered apart of that unmapped commercial node.

Unmapped commercial nodes reflect the standards of the Retail Neighborhood (RN) policy area. The RN policy area allows for 30,000 to 100,000 sq. ft. of



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commercial development. Currently at this commercial node there is potential for more than 300,000 sq. ft. of commercial development, which exceeds the maximum of 100,000 sq. ft. In order to support the expansion of commercial zoning in this area the policy would have to be Retail Concentration Community (RCC) policy, which supports 100,000 to 500,000 sq. ft. of development.

Currently these properties are adjacent to residential uses to the east, west, and north. The Planning Commission recently recommended disapproval of commercial rezoning of the properties to south as an over-extension of the unmapped commercial node.

RECENT REZONINGS

Yes. MPC recommended disapproval of (2002Z-076U-12) rezoning parcels 105 and 130 from AR2a to CL and parcels 100, 101, 102, 103, 129, 194, 195, 196, 197, and 198 from AR2a to SCR on 8/22/02. Currently both of these rezonings are before the Metro Council.

TRAFFIC

Based on typical uses in CS zoning, with on site parking allowing 10,000 sq. ft. of commercial development per acre, such as a fast-food restaurant, gas station with convenience market, and quick lubrication vehicle shop, approximately 448 to 5,557 trips per day could be generated by these uses (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Metro Traffic Engineer's Findings

Approve.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2002Z-100G-14
 None
 None
 Hardison

Staff Recommendation *Approve*

APPLICANT REQUEST

Rezone 6.68 acres from Residential (R8) to Residential Multi-Family (RM9) at 4061 Dodson Chapel Road.

Existing Zoning
 R8 zoning

R8 zoning is intended for single-family and duplexes at 4.63 units per acre. The existing zoning would allow 31 units.

Proposed Zoning
 RM9 zoning

RM9 is intended for multi-family residences at 9 units per acre. This proposed zoning would allow the development of 60 units.

SUBAREA 14 PLAN POLICY

Residential Medium High (RMH)

RMH policy is intended for 9 to 20 dwelling units per acre.

Policy Conflict

None. RM9 district allows 9 units per acre, which is on the lower side of the RMH policy's allowed density. The existing R8 district is well below the intended density in the RMH policy area. The proposed RM9 district is consistent with the subarea policy.

RECENT REZONINGS

None

TRAFFIC

The proposed zone change would permit a total of 60 units. This number of units would create approximately 398 vehicle trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Metro Traffic Engineer's Findings

Approve

SCHOOLS

Students Generated

7 Elementary 4 Middle 3 High School

Schools Over/Under Capacity

If the property were developed under the proposed zoning, 14 students would be generated. Students would attend Tulip Grove Elementary School, Dupont-



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Tyler Middle School, and McGavock High School. Tulip Grove Elementary and McGavock High have not been identified as being overcrowded by the Metro School Board, but Dupont-Tyler Middle School has been identified as being overcrowded.



Project No.
Council Bill
Associated Cases
Staff Reviewer

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

Staff Recommendation

Approve with conditions. The OR20 and MUL districts are consistent with the emerging zoning pattern in the area and the existing commercial and high-density multi-family zoning districts in the area. If a council bill is filed, it should include the following conditions to be completed or bonded prior to the recording of any final subdivision plat.

1. *Upgrade Charlotte Pike to Major Street Plan standards (currently U4) from Cabot Drive to the western property frontage of parcel 17 on tax map 102.*
2. *Widen Cabot Drive to collector street standards (37 feet of pavement) from the Charlotte Pike intersection to the driveway entrance on Cabot Drive, including a left-turn lane.*

APPLICANT REQUEST

Rezone 12.39 acres from office and residential (OR20) and residential (R40) to OR20 (3.16 acres) and Mixed Use Limited (MUL) (9.238 acres) at 6950 Charlotte Pike.

Existing Zoning
R40 district

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

OR20 district

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

Proposed Zoning
OR20 district

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

MUL district

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

SUBAREA 6 PLAN POLICY
Natural Conservation (NC)

NC policy is intended for low-intensity residential and commercial development that will protect the environmentally sensitive features of the site.

Commercial Mixed



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Concentration (CMC)

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

Policy Conflict

The OR20 and MUL districts are consistent with the Subarea 6 Plan's CMC policy along the frontage of the property along Charlotte Pike; however, they are not literally consistent with the intent of the NC policy at the rear of the property. Previous rezonings have created the emergence of higher intensity development in the area, including the CS zoning to the west for the Super Wal-Mart. The OR20 and MUL districts are consistent with the emerging zoning pattern in the area and the existing commercial and high-density multi-family zoning districts in the area.

RECENT REZONINGS

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

TRAFFIC

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

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

Metro Traffic Engineer's Findings

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



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SCHOOLS

4 Elementary 3 Middle 3 High

Schools Over/Under Capacity

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

FUTURE SUBDIVISION

The Planning Department recommendation for this rezoning addresses only the questions of compliance with adopted land use policy and adequacy of infrastructure, given entitlements associated with the requested zoning district. Any future subdivision requested for this property must meet all of the specific requirements of the Metropolitan Zoning Code and the additional requirements of the Subdivision Regulations. Given that a significant portion of the property contains steep slopes [slopes 20% or greater], the following subdivision standards may materially affect the development yield and the form of development on the site.

- Zoning Ordinance Section 17.28.030 – Hillside development standards
- Subdivision Regulation 2-3 – Suitability of the land
- Subdivision Regulation, Appendix C – Critical Lots (Plans and Procedures)

Included among those provisions are the following requirements:

- “The development of residentially zoned property shall minimize changes in grade, cleared area, and volume of cut or fill on those hillside portions of the property with twenty percent or greater natural slopes.” 17-28-030(A) (emphasis added).
- “For lots less than one acre, any natural slopes equal to or greater than twenty-five percent shall be platted outside of the building envelope and preserved to the greatest extent possible in a natural state.” i.e., grading of lots with twenty-five percent slopes to create a buildable lot is not permitted. 17.28.030(A)(1) (emphasis added).
- In areas with slopes of twenty percent or greater, subdivisions are encouraged to use the cluster lot option of 17.12.080. “In general, lots so created shall be clustered on those portions of the site that have natural slopes of less than twenty percent . . . Large contiguous areas containing natural slopes in excess of twenty-five percent should be recorded as common open space and permanently maintained in a natural state.” 17.28.030(A)(2) (emphasis added).



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2002Z-103G-03
None
88P-023G-03
Leeman

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 21.75 acres from Commercial Limited (CL) to Commercial Service (CS) 7412 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered).

Existing Zoning
CL district

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

Proposed Zoning
CS district

CS is intended for a wide range of commercial service related uses, including low-intensity manufacturing, self-service storage, light-manufacturing, auto-repair, vehicular sales, distributive business wholesale, retail, office and restaurant.

SUBAREA 3 PLAN POLICY

Commercial Mixed Concentration (CMC)

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

Residential Medium (RM)

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

Policy Conflict

No. The proposed CS district is consistent with the Subarea 3 Plan's CMC policy calling for a wide range of retail, office, and residential uses, while the existing CL district and commercial PUD currently extends into the RM policy to the west. Changing the zoning from CL to CS at this large commercial interchange is consistent with the General Plan.

RECENT REZONINGS

Yes. The property directly to the east was rezoned from CL to CS in 2001. The Planning Commission approved this request in July of 2001. Also, two properties (parcels 24 and 161) to the north were rezoned in 2001. The Planning Commission approved that request to rezone from R15 to CL on March 15, 2001.

TRAFFIC

Based on typical uses like retail, restaurant and office, approximately 568,400 square feet of commercial



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Metro Traffic Engineer's Findings

development would be allowed. Approximately 6,250 to 23,100 trips per day would be generated by a retail center or general office uses. Old Hickory Boulevard is classified on the Major Street Plan as a U2 (two lanes with a center turn lane), while the road currently has two lanes with no center turn lane.

The Metro Traffic Engineer has indicated that a Traffic Impact Study may be required at the building permit stage depending on the proposed use.



Project No.
Project Name
Council Bill
Associated Cases
Staff Reviewer

Planned Unit Development 88P-023G-03
Little Creek Farms
None
Zone Change 2002Z-103G-03
Leeman

Staff Recommendation

Approve

APPLICANT REQUEST

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

Existing Zoning

CL District/Commercial PUD

This request is to cancel the 22.97 acre undeveloped Commercial PUD district located at 7412 Old Hickory Boulevard and Old Hickory Boulevard (unnumbered). The PUD was originally approved in 1988 for 195,025 square feet of retail, restaurant and convenience market uses.

CL is intended for retail, consumer service, financial restaurant and office uses. The Commercial PUD is a grandfathered plan approved for retail, restaurant and convenience market uses.

TRAFFIC

Metro Traffic Engineer's Findings

Old Hickory Boulevard is classified on the Major Street Plan as a U2 (two lanes with a center turn lane), while the road currently has two lanes with no center turn lane.

The Metro Traffic Engineer has indicated that a Traffic Impact Study may be required at the building permit stage depending on the proposed use.



Project No.
Project Name
Associated Cases
Reviewer

Subdivision 2001S-242U-11
Twin Oaks Subdivision, Section 2, Phase 2
None
Jones

Staff Recommendation

Approve subject to bond for the extension of roads, public utilities, and the construction of sidewalks prior to recordation.

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide 4.98 acres into 22 lots, at a proposed density of 4.4 units per acre.

The Planning Commission approved the preliminary plat for Twin Oaks Subdivision, Section 2 on February 14, 1991. The preliminary plat proposed to create 28 new lots. Twin Oaks, Section Two, Phase One was approved by the Planning Commission on June 20, 1991. This granted preliminary and final plat approval to create six lots. The current request for preliminary and final plat approval to create 22 lots will complete the 28 lots approved with the original preliminary.

ZONING

R8 district requiring minimum lot size of 8,000 sq. ft. The R8 district will allow 4.63 units per acre.

SUBDIVISION DETAILS

This request matches the approved preliminary. It extends two cul-de-sacs from Twin Oaks Drive to the south. All lots are accessed from Twin Oaks Drive or one of the two cul-de-sacs, with the exception of Lot 1, which will be accessed from Glencliff Road. Sidewalks are proposed along all street frontages.

The proposed subdivision complies with the Subdivision Regulations, and all departments have recommended approval.

TRAFFIC ENGINEER'S FINDINGS

Approval

CONDITIONS

Bond for the extension of roads, public utilities, and the construction of sidewalks prior to recordation.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2002S-217G-14
Hager's Grove Subdivision
None
Mitchell

Staff Recommendation

Approve with conditions subject to a revised plat prior to recordation.

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide a 24.14-acre tract into a 55-lot Cluster Lot subdivision, at a proposed density of 2.3 dwellings units per acre.

ZONING

RS15 district, requiring a minimum lot size of 15,000 square feet

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 15,000 sq. ft. lots) to RS7.5 (minimum 7,500 sq. ft. lots). Although allowed to reduce minimum lot size two base zone districts, the applicant has chosen to use the RS10 district as the alternative lot size for bulk standard compliance since proposed lots range from 11,587 sq. ft. to 21,497 sq. ft.

Applicant has justified utilizing the cluster lot option by providing for additional open space and asserting that significant vegetation will be preserved in open space areas 'A', 'B', and 'C'. Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, open space provisions require a minimum of 15% open space per phase. Applicant successfully complies with this requirement by proposing a total of 4.5 acres (18.6%) of open space – which exceeds the minimum open space acreage required per phase of 2.16 acres and 1.46 acres, respectively.

SUBAREA 14 POLICY

This subdivision falls within the Subarea 14 Policy's Residential Low-Medium (RLM) policy that supports and provides opportunities for new residential development within a density range of 2 to 4 units per acre. Due to the location of this subdivision, the subarea plan specifically calls for consideration being



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given to the density of development in an area with the widespread presence of sinkholes – which may have limited drainage capacity – and the potential impact of runoff on the J. Percy Priest Lake. Total lot yield permitted for this subdivision is 60 lots; however, the applicant proposes to provide 55 lots, at a density of 2.3 dwelling units per acre.

SUBDIVISION DETAILS

The 24.14-acre tract, approximately 2,400 feet deep, lies along the south margin of John Hagar Road in the eastern portion of the county, and just north of the J. Percy Priest Lake. The proposed 55 lots are located on either side of a single, curvilinear, spine road that provides for a temporary dead-end to lands located north of Seven Points Trace that have yet to be subdivided. The proposal includes two possible detention areas that are located in the north end of the subdivision and four areas of open space that total 4.5 acres. Additionally, the applicant proposes a 20-foot access easement to allow for students living in this subdivision and The Meadows of Seven Points – located further east – to access the proposed Ruby Major Elementary and Middle School.

SUBDIVISION VARIANCES

None

TRAFFIC ENGINEER'S FINDINGS

Metro Department of Public Works provided the following comments regarding the proposed subdivision:

1. Where the new roadway intersects John Hagar Road, the developer will need to clear vegetation in both the east and west directions to obtain the required 350 feet of sight distance. In addition, the developer will need to widen John Hagar Road to collector street standards along the property frontage.
2. A left turn lane, on westbound John Hagar Road, must be constructed where the new roadway intersects John Hagar Road. This left turn lane must provide 60 feet of storage with an appropriate taper.

CONDITIONS

Staff recommends conditional approval of this plat subject to a revised plat being submitted prior to recordation:



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1. Add to existing note #13, "Wheelchair accessible curb ramps, complying with applicable Metro Public Works standards, shall be constructed at street crossings."
2. A westbound left-turn lane must be constructed on John Hager Road, providing for 60 feet of storage and a taper distance to be provided by Metro Public Works.
3. Vegetation must be cleared along John Hager Road, in both the east and west directions from the subject property, to obtain a minimum of 350 feet of sight distance.
4. Improvements to John Hager Road along the front of the subject property, to bring it into compliance with the Major Street Plan standards for a collector roadway, must be completed or bonded prior to the recordation of the final plat.
5. Open Space 'C' must be designated as Open Space and as an Access Easement. This is to preclude an HOA from fencing off this portion of open space, which would prevent direct access to the Ruby Major Schools.
6. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements.



Project No.
Project Name
Associated Cases
Deferral
Staff Reviewer

Subdivision 2002S-229G-14
Windstar Estates
None
Deferred by the MPC on 8/22/02
Jones

Staff Recommendation

Approve with the following conditions:

1. *No grading permit issued prior to final plat approval*
2. *A geotechnical study indicating the location and extent of sinkholes shall be submitted to the Stormwater Division of Water Services with grading plans prior to grading plan approval;*
3. *Grading plans will be approved by the Stormwater Division based on care taken to minimize environmental disturbance and to prevent increased stormwater runoff onto adjacent properties;*
4. *The final plat shall demonstrate that at least one-half of the natural floodplain is designated as common open space and maintained in a natural state;*
5. *Warren Drive and Keeton Avenue along the property's frontage must be bonded for or upgraded to Public Works standards for a local street containing 50 feet of right-of-way prior to final plat recordation; and*
6. *Public Works must approve the proposed "Divided Roadway Entrance" prior to final plat approval.*

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide 38.27 acres into 84 lots using the cluster lot option, at a proposed density of 2.2 units per acre.

ZONING

R15 district requiring minimum lot size of 15,000 sq. ft. and R10 district requiring minimum lot size of 10,000 sq. ft.

CLUSTER LOT

Applicant proposes to reduce lots two base zoning districts, from R15 (minimum 15,000 sq. ft. lot) to R8 (minimum 8,000 sq. ft. lot) and from R10 (minimum 10,000 sq. ft. lot) to R6 (minimum 6,000 sq. ft. lot). The proposed lots range in size from 7,500 sq. ft. to nearly 15,000 sq. ft.



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Landscape Buffer yards

The Cluster Lot Option within the Zoning Regulations allows perimeter lots abutting a conventional subdivision to be reduced in size the equivalent of one zoning district with the installation of a standard “B” landscape buffer yard, or perimeter lots may be reduced in size the equivalent of two zoning districts with the installation of a standard “C” landscape buffer yard.

The proposed plat shows a standard “C” landscape buffer yard between the abutting property line and lots 55, 56, 74, and 75, as well as a standard “B” landscape buffer yard between the abutting property line and lots 2, 3, 4, 7, 8, and 9.

Proposed lots 9 and 10 are double-frontage lots. Double-frontage lots are lots containing front and rear frontage on a public street. The Cluster Lot Option within the Zoning Regulations allows double-frontage lots oriented to an internal street to be reduced in size the equivalent of one zoning district provided that a standard “C” landscape buffer yard is provided within common open space along the existing street, or lots may be reduced in size the equivalent of two zoning districts with the installation of a standard “D” buffer yard. A standard “C” landscape buffer yard has been provided to satisfy this requirement.

No landscape buffer yard is required for the lots abutting the southern property line because they meet the minimum lot size requirements for the base zoning.

SUBDIVISION DETAILS

Floodplain

The majority of this property lies within the floodplain of the Cumberland River. The Zoning Regulations encourage subdivisions containing natural floodplain and floodway areas to employ the cluster lot option. The cluster lot option allows the clustering of lots within the manipulated areas of the natural floodplain with the condition that at least, “one-half of the natural floodplain area including all of the floodway area shall be dedicated as common open space and maintained in a natural state, with the clearing of trees and brush exceeding eight inches in diameter prohibited” (17.28.040A2).

The proposed subdivision dedicates one-half of the natural floodplain area as common open space, and



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Sinkholes

labels the open space as “to be maintained in a natural state.”

The property contains several large depressions that may be sinkholes. The Stormwater Division of the Water Services Department has indicated that a geotechnical study indicating the location and extent of sinkholes must be submitted prior to grading plan approval. The final lot count and layout may be effected by the findings of the geotechnical study.

Street Layout and Access

Access to the development is proposed at the intersection of existing Warren Drive and Keeton Avenue. Public Works has indicated that a traffic device such as a roundabout may be necessary in order to provide an acceptable intersection at this point. The plat shows a “Divided Roadway Entrance” at the intersection, but Public Works will have to approve the entrance prior to final plat approval.

Warren Drive and Keeton Avenue both contain fifty feet of right-of-way, but the streets are currently not built to Public Works standards. Warren Drive and Keeton Avenue along the property’s frontage shall be bonded for or upgraded to Public Works standards for a local street containing 50 feet of right-of-way prior to final plat recordation.

The plat proposes a street connection to the property to the north as well as two stub-out streets for future development to the west.

Blue-Line Stream and Ponds

The proposed plat preserves an existing blue-line stream and a series of ponds in the northern portion of the site. A twenty-five-foot-wide buffer is shown from the top of bank of the blue-line stream. The stream and ponds are located within common open space.

SUBDIVISION VARIANCES

None

CONDITIONS

1. No grading permit issued prior to final plat approval;
2. A geotechnical study indicating the location and extent of sinkholes shall be submitted to the



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- Stormwater Division of Water Services with grading plans prior to grading plan approval;
3. Grading plans will be approved by the Stormwater Division based on care taken to minimize environmental disturbance and to prevent increased stormwater runoff onto adjacent properties;
 4. The final plat shall demonstrate that at least one-half of the natural floodplain is designated as common open space and maintained in a natural state;
 5. Warren Drive and Keeton Avenue along the property's frontage must be bonded for or upgraded to Public Works standards for a local street containing 50 feet of right-of-way prior to final plat recordation; and
 6. Public Works must approve an appropriate intersection of Warren Drive and Keeton Avenue prior to final plat approval.



Project No.	Subdivision 2002S-260A-12
Project Name	McMurray Woods Addition, Sect. 1, Lot 25
Associated Cases	None
Staff Reviewer	Fuller

Staff Recommendation *Disapprove*

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Reduce the setback on Hilson Drive from 20 feet to 10 feet. The subject property is located at the corner of Hilson Drive and Amalie Drive. The dwelling unit fronts on Amalie Drive.

ZONING

R10 district requiring minimum lot size of 10,000 sq. ft.

SUBDIVISION DETAILS

The final plat of McMurray Woods Addition; Section 1 was recorded in 1973 with minimum building setback lines of 20-feet on both Hilson Drive and 30-feet on Amalie Drive. The front of the house faces Amalie Drive. Both Hilson Drive and Amalie Drive are classified as local streets.

Section 17.12.030.C.3 of the Zoning Ordinance applies to this request. In residential areas with an established development pattern and when the subject lot abuts a side street, the value provided in Table 17.12.030A (street setbacks) shall be used for the setback on that side. The setback provided in Table 17.12.030A for an R10 zoned property abutting a local street is 20 feet. Therefore, this request is 10 feet short.

It appears that Section 17.12.030.C.2 of the Zoning Ordinance could be applied to this request. That section states that a corner residential lot created prior to effective date of the ordinance (1998) may reduce the required setback of Table 17.12.030A by 50 percent along that street running parallel with the side of the structure. This would allow the setback to be reduced to 10 feet (assuming that any public utilities having easements in the setback agree to the reduction).

Staff recommends, however, that Section 17.12.030.C.3 be applied in this instance to protect the established setback pattern on Hilson Drive.



Project No.
Project Name
Council Bill
Associated Cases
Staff Reviewer

Planned Unit Development 182-83-G-03
Westport Senior Living Community
None
None
Leeman

Staff Recommendation

Approve with conditions, including the installation of a traffic signal by the developer/owner at the intersection of Old Hickory Boulevard and Nesbitt Lane/Port Drive prior to the issuance of any Use and Occupancy permits for Phase 2, or any further phases.

APPLICANT REQUEST

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

This request is to revise the preliminary plan for Phases 2-6, and for final grading plan approval for Phases 2 and 3 for the residential PUD located north of Old Hickory Boulevard and west of I-65 in the Madison area. This plan does not change the number or type of units approved on the last preliminary plan, but it does change the grading plan.

The Planning Commission approved a previous revision on March 14, 2002, including 40 assisted-living units, 90 independent-living units, 15 townhomes, and 196 duplex units (314 total units where every 3 assisted living units counts as 1 dwelling unit). That plan replaced 670 apartment units and 104 townhomes (874 total units). Phase 1 is currently developed with 190 apartment units.

Existing Zoning
Residential Multi-Family
(RM9)/Res. PUD

This proposal is consistent with the existing RM9 base zoning and the Subarea 3 Plan's Residential Medium (RM) policy allowing multi-family dwellings at up to 9 dwelling units per acre. The plan proposes 3 dwelling units per acre for Phases 2-6.

PROPOSED PLAN

While the current proposal alters the grading plan, the layout of the units, the unit types, and the proposed internal street network remains consistent with the plan approved by the Planning Commission in March 2002. The current proposal also maintains a future collector



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street connection between the existing portion of Nesbitt Lane at Old Hickory Boulevard and the existing portion of Nesbitt Lane on the east side of I-65. The collector road currently stubs-out into this property and has always been intended to connect to Nesbitt Lane on the east side of I-65.

TRAFFIC

Metro Traffic Engineer's Findings

The Metro Traffic Engineer has analyzed the Traffic Impact Study (TIS) that was submitted for this project and is requiring the following condition:

1. Prior to the issuance of any Use and Occupancy permits for Phase 2, the developer/owner must install a traffic signal at the intersection of Old Hickory Boulevard and Nesbitt Lane/Port Drive.



Project No.
Project Name

Planned Unit Development 239-84-G-13
Canter Chase Commercial, (Am South Bank)

Council Bill
Associated Cases
Staff Reviewer

None
None
Leeman

Staff Recommendation

Approve with conditions as follows:
1. *Recordation of a final subdivision plat prior to the issuance of any building permits*
2. *Right-of-way reservation along Harding Place to bring this portion of roadway into conformance with the Major Street Plan (U4 with 84 feet of right-of-way).*

APPLICANT REQUEST

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

Existing Zoning
CL district/Commercial PUD

This request is to revise a portion of the preliminary plan and for final PUD approval for a portion of the Commercial Planned Unit Development to permit a 478 square foot, 5-lane, drive-thru bank facility located along the south side of Murfreesboro Pike, west of Harding Place. The proposed plan does not include direct access to Murfreesboro Pike. An access driveway is proposed along Harding Place.

CL is intended for retail, consumer service, financial, restaurant and office uses. The existing Commercial PUD is a grandfathered plan approved for an 8,850 square foot restaurant or convenience store. This portion of the PUD plan is currently undeveloped.

TRAFFIC

Murfreesboro Pike is classified as a U6 (108 feet of right-of-way) on the Major Street Plan, while Harding Place is an unbuilt U4 (84 feet of right-of-way) street on the Major Street Plan.

Metro Traffic Engineer's Findings

Approve.



Project No.	Planned Unit Development 27-87-P-03
Project Name	Creekside Trails Residential PUD, Phase 3
Council Bill	None
Associated Case	None
Staff Reviewer	Mitchell

Staff Recommendation *Approve with conditions*

APPLICANT REQUEST

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

Permit the development of 22 single-family lots on the 8.49-acre phase 3 of the Creekside Trails Cluster Lot Subdivision, formerly Eaton’s Creek Subdivision, and located along Eaton’s Creek Road.

PLAN DETAILS

Proposal is consistent with the revised preliminary PUD plan approved by the Metro Planning Commission on February 17, 2000.

Proposed lots will range in size from 6,729 sq. ft. to 13,921 sq. ft., and sidewalks will be provided along both sides of Creekside Drive.

TRAFFIC ENGINEER’S FINDINGS

Approve

CONDITIONS

1. Prior to the Planning Commission meeting, plans detailing the northbound left-turn lane from Eaton’s Creek Road onto Rambling Brook Road must be approved by Metro Public Works.
2. A final plat must be recorded prior to the issuance of any building permits.



Project No.
Project Name
Council Bill
Associated Cases
Staff Reviewer

Planned Unit Development 88P-009G-12
Autumn Oaks, Phase 5
None
None
Leeman

Staff Recommendation

Approve with conditions as follows:
1. *Recordation of final plat prior to the issuance of any building permits.*
2. *Public Works must approve the final PUD plan prior to the Planning Commission meeting.*

APPLICANT REQUEST

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

This request is to revise phases 5 through 10 of the preliminary plan and for final approval to allow 18 single-family lots in Phase 5, replacing 14 single-family lots approved in 1988. This plan revises the layout of several phases in order to provide more street connectivity throughout the remainder of the development. Phase 5 has been modified from the approved preliminary PUD plan to compensate for a small cemetery found during site preparation work, and to meet the current Stormwater Management Regulations.

Previous revisions have reduced the number of lots by 14, which allows for the additional 4 lots in Phase 5. The overall preliminary plan includes 354 single-family lots—the same number approved on the preliminary PUD plan.

All lots will be designated as critical lots to be reviewed and approved by Metro Water Services, Public Works, and the Planning Department prior to the issuance of any building permits. A final plat must be recorded and bonds must be posted for the construction of public sidewalks and other necessary public improvements.

Existing Zoning
R20/Res. PUD

The plan is grandfathered to permit 354 single-family lots within the R20 district. The plan was approved in 1988.



Project No.
Project Name

Planned Unit Development 98P-002G-13
Villages of Longhunter Residential PUD
Phase 3

Council Bill
Associated Case
Staff Reviewer

None
None
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

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

Permit the development of 100 single-family lots on the 25.04-acre phase 3 of the Villages of Longhunter residential subdivision, formerly a part of the Longhunter Chase Residential PUD, and located along the south side of Hobson Pike.

PLAN DETAILS

Proposal is consistent with the preliminary PUD plan approved by the Metro Council on May 26, 1998.

Proposed lots will range in size from 5,877 sq. ft. to 11,138 sq. ft., with sidewalks proposed along both sides of South Hampton Drive and Ole Nottingham Drive. During the review and final approval for phase 2, staff worked with the applicant to provide a workable sidewalk network. It was agreed-upon that sidewalks would be placed along both sides of the minor local streets running throughout phases 2 and 3, but sidewalks would not be required within the cul-de-sacs – which was originally agreed-upon for the preliminary plan.

TRAFFIC ENGINEER'S FINDINGS

Approve

CONDITIONS

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



Project No.	Mandatory Referral 2002M-093U-05
Project Name	Public Property Disposition: 800 Fatherland Street/711 Stockell Street
Council Bill	BL2002-1198
Associated Case	2002M-094G-14
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST	An ordinance approving the disposition of 800 Fatherland Street and 711 Stockell Street, properties currently held by the Metropolitan Government of Nashville & Davidson County, as requested by the Metro Director of Public Property. 711 Stockell Street is approximately 0.20 acres in size, and 800 Fatherland Street is approximately 0.50 acres in size.
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APPLICATION REQUIREMENTS	None
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DEPARTMENT AND AGENCY COMMENTS	None
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RECOMMENDATION	All reviewing departments and agencies recommend approval.
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Project No.
Project Name

Mandatory Referral 2002M-094G-14
Public Property Disposition: 4304 Old Hickory Boulevard

Council Bill
Associated Case
Staff Reviewer

BL2002-1198
2002M-093U-05
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An ordinance approving the disposition of 4304 Old Hickory Boulevard, properties currently held by the Metropolitan Government of Nashville & Davidson County, as requested by the Metro Director of Public Property. Property is approximately 0.20 acres in size.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY COMMENTS

None

RECOMMENDATION

All reviewing departments and agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2002M-095U-09
Washington Square Building Underground Encroachment

Council Bill
Associated Case
Staff Reviewer

None
None
Mitchell

Staff Recommendation

Approve with conditions. Applicant must coordinate with Nashville Electric Service (NES) prior to conducting any work within the right-of-way, in order to verify location of utilities.

APPLICANT REQUEST

A request for an underground encroachment to core within the public sidewalks along 2nd Avenue North, Bank Street, and 1st Avenue North for the purpose of termite protection of the Washington Square Building, located at 214 & 222 2nd Avenue North, as requested by Cook's Pest Control, applicant, for WS Investment Holdings, L.P., et al, owners.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes – one was submitted in correct form.

Insurance Certificate

Yes – one was submitted providing general liability of \$1,000,000 for each occurrence and \$5,000,000 for general aggregate coverage, as required by Metro Legal.

Property Owner Sign Application

No – application signed by Cook’s Pest Control on behalf of property owner since Cook’s has been contracted to perform all work. The property owner, W.S. Investment Holdings, L.P., et al, has duly executed the License Agreement.

Tenant Sign Application

N/A

DEPARTMENT AND AGENCY RECOMMENDATIONS

“NES has facilities at corner of 2nd Av. N. and Bank St., and 1st Av. N. south of Brandon St. Cook’s Pest Control responsible for having utilities located prior to construction.”



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Mandatory Referral 2002M-096U-08
Close Portions of Various Alleys
None
None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request to close Alley #1177 between Georgia Avenue and Alley #1221, to close a portion of Alley #1202 extending approximately 100 feet west from Alley #1177, and to close a portion of Alley #1221 from the east property line of parcel 174 of map 92-10 to its' terminus at the east property line of parcel 162 of map 92-10, requested by St. James Missionary Baptist Church, applicant, for the St. James Missionary Baptist Church, Clifton & Linda Rhodes, and Chas. L. Ethridge, abutting property owners.

Easements are to be abandoned.

Applicant understands that utility relocations are to be made at the applicant's expense.

APPLICATION REQUIREMENTS

Signatures of All Abutting & Affected Property Owners

Yes – and they match tax assessor information.

DEPARTMENT AND AGENCY RECOMMENDATIONS

All reviewing departments and agencies recommend approval.



Project No.

**Request to Amend the Subarea
13 Plan: 1996 Update**

**Associated Case
Council Bill
Staff Reviewer**

None
None
Wood

Staff Recommendation

Approve

APPLICANT REQUEST

Change land use policies from Residential Low-Medium density (RLM), Residential Low-Medium Density (RM), Residential Medium-High Density (RMH), Commercial Arterial Existing (CAE), and Commercial Mixed Concentration (CMC) to Open Space (OS), Neighborhood General (NG), Neighborhood Center (NC), and Community Center (CC and establish a recommended collector street system and greenway system for the amendment area.

Click [HERE](#) to see the separate attachment for more details.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2002Z-022T
None
BL2002-1226
Leeman

Staff Recommendation

Approve

REQUEST

Change the text of the Zoning Code to permit Commercial Amusement (outside) uses in the IR and IWD districts as a Special Exception (SE) to be approved by the Board of Zoning Appeals (BZA).

AMENDMENT ANALYSIS

Definition: Commercial Amusement (outside)

Commercial Amusement (outside) uses generally do not require a large amount of infrastructure or large buildings. This text change will allow IR (Industrial Restrictive) and IWD (Industrial Warehouse and Distribution) zoned properties to be used for low-impact uses while still leaving the opportunity for the intended industrial uses in the future. The low-impact uses will allow the preservation of valuable industrial land that can be converted for industrial uses in the future. Commercial Amusement (outside) will serve as a holding use until industrial uses are constructed.

Commercial Amusement (outside) is defined as: "...the provision of entertainment or games of skill to the general public for a fee where any portion of the activity takes place outside the building, including but not limited to a golf driving range, archery range or miniature golf course. This use does not include a stadium."

This text change will only permit Commercial Amusement (outside) uses as a SE, which must be reviewed and approved by the BZA. Should adjoining industrial properties pose a health or safety risk, the BZA will have the ability to deny the Commercial Amusement (outside) use. The proposed text also limits any structures to 1,500 square feet of gross floor area, while any larger building must be designed for an industrial warehouse or other function that can reasonably be converted to a use permitted by right in the IR or IWD zoning district.



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The specific changes to the Zoning Code are shown below:

Table: 17.08.030

Land Use	AG AR2a	RS80- RS3.5	R80- R6	RM60- RM2	M H P	I	M U N	M U L	M U G	M U I	O N	O L	O G	OR20- OR40	O R I	C N	C L	C S	C A	C F	C C	S C N	S C C	S C R	IWD	IR	I G
Commercial amusement (outside)								P	P	P							P	P	P	P	P	P	P	P	SE	SE	

Section 1. Amend Section 17.08.030 (District Land Use Tables) to add Commercial Amusement (outside) as SE (special exception) in the IR and IWD zoning districts.

Section 2. Amend Section 17.16.220 (Recreation and entertainment special exceptions) to insert in alphabetical order “Commercial Amusement (outside)” as follows:

1. In the IR and IWD districts, Commercial Amusement (outside) uses shall be limited to locations where the Board of Zoning Appeals finds that adjoining industrial uses will not pose a danger to persons using the Commercial Amusement (outside) facility. The Commercial Amusement (outside) use shall be required to cease if it is determined that a permitted and otherwise legal industrial use of adjoining property will pose a danger.
2. Because Commercial Amusement (outside) is appropriate in the IR and IWD districts only as an interim use, such facilities within the IR and IWD districts shall not include any permanent structures that would limit the future availability of the land for industrial purposes. Any new structure constructed on the property greater than 1,500 square feet in size, must be designed as an industrial warehouse or other function that can economically be converted to a use permitted by right in the IR or IWD districts, as applicable.



Project No.
Council Bill
Associated Cases
Staff Reviewer

Zone Change 2001Z-116U-10
N/A
None.
Fawcett

Staff Recommendation

Approve. The Neighborhood Landmark Overlay District eligibility criteria are fully met by this application and the district is supported by the surrounding neighborhood.

In order to make an approval recommendation to Council, the Commission must find that the following criteria have been met:

1. The feature is a critical component of the neighborhood context and structure;
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood;
3. The only reason to consider the application of the neighborhood landmark district is to protect and preserve the identified feature;
4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the neighborhood landmark overlay designation and return the district to the base zoning district prior to the application of the district;
5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate neighborhood landmark development plan as a means of preserving the designated feature.

APPLICANT REQUEST

Apply the Neighborhood Landmark Overlay District to Parcels 228, 229, 230 and 233 of Map 105-01.

The applicant wishes to adaptively reuse the complex of existing buildings for a mix of revenue-generating and other uses satisfactory to the residents of the neighborhood.

Existing Zoning
RS5 zoning

Single-family residential with minimum lot sizes of 5,000 square feet.

Proposed Zoning
RS5 zoning

Single-family residential with minimum lot sizes of 5,000 square feet.



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SUBAREA 10 PLAN

Policy

Residential Medium (RM)

Policy Conflict

None. The Neighborhood Landmark Overlay District is fully consistent with the RM policy

RECENT REZONINGS

No

TRAFFIC

Traffic Study Submitted

No – none required. A traffic study will be required with submittal of a master development plan subsequent to passage by Council of this overlay district.

Metro Traffic Engineer's Findings

N/A

STAFF FINDINGS

Background

The property is the site of the former Whiteway Cleaners business started in 1931, prior to the first zoning in Nashville, and therefore has status as a legally nonconforming use. The business was moved from the site in May of this year. One option of the property owner is to preserve this nonconforming status. In order to do this the owner would have to receive within two years approval by the Board of Zoning Appeals of a plan for reuse of the property as a laundry plant or another use(s) that is more conforming to the existing zoning of RS5. Properties on the west side of Villa Place are still used as a laundry pickup and drop-off facility and an antique mall facility and are legally nonconforming uses. While the owner could in all likelihood preserve the buildings through a plan for adaptive reuse approved by the BZA, he has expressed the desire to use the neighborhood landmark overlay district in order to ensure neighborhood participation and protection of neighborhood character.

Community Involvement

The neighborhood residents must be participants in determining some of the criteria for application of the NLOD and, in staff's view, their support is also critical since the neighborhood is an important benefactor of the overlay district. Staff participated at three work groups and one well-attended general community meeting organized by Councilmember Ginger Hausser



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Extent of Staff Review

for that purpose and to enable the applicant and the property owner to work with the neighborhood on land use, traffic and parking issues pursuant to development of a plan for adaptive reuse of the existing buildings. Retail, office, residential and community service uses are being explored. A community survey to determine attitudes and concerns that was generated during consideration of a previous zoning proposal last year has also been considered at the meetings.

It is clear from these meetings that the neighborhood supports the application of the neighborhood landmark overlay district.

There is no requirement that a plan be prepared until after Metropolitan Council has adopted the overlay district. Staff review has been limited to determining eligibility for the overlay district and ensuring that the criteria for Planning Commission approval have been met.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2002Z-104U-09
None
BL2002-1224
Hardison

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 1.44 acres from Industrial Restrictive (IR) to Mixed Use Limited (MUL) at 902, 904, 908, 914, 916, 918, Ireland Street, Ireland Street (unnumbered), and 900 10th Avenue North.

Existing Zoning
IR zoning

IR zoning is intended for a wide range of light manufacturing uses.

Proposed Zoning
MUL zoning

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

SUBAREA 9 PLAN POLICY
Residential Medium (RM)

RM policy is intended for 4 to 9 dwelling units per acre. A variety of housing types are appropriate for the RM areas, including compact single-family detached units, townhomes and walk-up apartments.

Hope Gardens Neighborhood Plan

These properties are also a part of the Hope Gardens Neighborhood Plan, which was established in 1996. This plan states the following as the intent for Ireland Street: “*conserve the character of the area, which is primarily detached single-family homes on small lots.*”

Policy Conflict

None. These properties are located in the Subarea 9 Plan's Residential Medium (RM) Policy area this rezoning is consistent with the intent of RM policy. Although these properties are in an area calling for single-family detached units the MUN zoning allows for single-family homes as well as townhomes and walk-up apartments all of which are appropriate in the RM policy area.

In the Hope Garden Plan the intent is to develop the northern margin of Ireland Street as residential and the existing industrial zoned property on the southern margin of Ireland Street is to remain. The MUL zoning will not only allow the prescribed residential development but it will also provide a transition



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between the industrial zoned property and the residential zoned property.

RECENT REZONINGS

Yes. MPC approved on 4/25/02 (2002Z-034U-09) rezoning parcels 724 and 725 from CS to MUN and parcel 119 from OR20 and RM20 to MUL. Metro Council approved both of this requests.

TRAFFIC

Based on typical uses in MUL zoning such as a convenience market, offices, and condominiums, approximately 167 to 472 trips per day could be generated by these uses (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Traffic Engineer's Findings

Approve.



Project No.
Project Name
Council Bill
Associated Cases
Staff Reviewer

2002S-105G-04
Hannah Price Estates
N/A
N/A
Leeman

Staff Recommendation

Disapprove sidewalk variance. There is no property hardship that would prevent the sidewalks from being constructed. Should this be approved, a revised preliminary plat must be submitted prior to recordation including the following conditions that were made part of the preliminary approval in June 2002:

1. Note #1 needs to be modified to identify the plat is for three (3) lots.
2. Note #8 needs to be modified to indicate that a 20' public utility and drainage easement does not exist along the entire length of Palmer Avenue since it narrows to 15' where the existing house on Lot #1 is to remain.
3. Owner needs to sign plat.
4. Surveyor needs to sign and date plat.
5. The subdivision number needs to be added to the plat 2002S-105G-04.
6. A bond will be required for demolition of the wooden building and block wall garage on Lot #2 that are located within the right-of-way of Palmer Avenue.

APPLICANT REQUEST

Preliminary Plat Preliminary and Final Plat Final Plat

This request is to revise the preliminary and final plat to eliminate a 280-foot long portion of sidewalk along Palmer Avenue and a 220-foot long portion of sidewalk along Pierce Road. The Planning Commission approved a preliminary and final plat to create three lots on June 13, 2002.

ZONING

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



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SUBDIVISION VARIANCE

Sidewalks

(Section 2-6.1)

Section 2-6.1 of the Subdivision Regulations requires a 5-foot wide public sidewalk and a 4-foot wide grass strip along the frontage of residential properties.

The applicant has requested a variance to the sidewalk regulations of the Zoning Code since there are no existing sidewalks in the area and since there is a difference in grade.

Metro Public Works Findings

No exception taken. Pierce Road and Palmer Avenue are residential roadways with no sidewalks in the vicinity. Eight trees will be affected by the construction of sidewalks. The pavement widths are 18' and 22' for Pierce Road and Palmer Avenue.

Staff Recommendation

Disapprove. Staff recommends disapproval of the sidewalk variance along both roads since these properties are not situated in the middle of the block, which means the roadway improvements, could be extended in the future. There is not an extraordinary property hardship that would prevent the sidewalk from being built. The Planning Commission approved the preliminary and final plat with sidewalks in June as part of the three-lot plat approval.

Staff does support a variance to reduce the standard 4-foot grass strip between the curb and the sidewalk to whatever width is necessary in order to reduce the amount of cut and fill and to help protect the existing trees.

TRAFFIC CONDITIONS

Pierce Road and Palmer Avenue are substandard minor local roads (46 feet of right-of-way) that should be brought up to minor local standards (23 feet of pavement). Currently, the pavement widths are 18' and 22' for Pierce Road and Palmer Avenue.

Traffic Engineer's Findings

No exceptions taken.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2002S-270G-03
Shieldsworth Estates Subdivision
None
Mitchell

Staff Recommendation

Approve with conditions subject to a variance for lot width to depth ration (4:1 Rule) and a revised plat prior to recordation.

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide 9.12 acres into an 8-lot Cluster Lot subdivision, at a proposed density of 0.87 dwellings units per acre.

ZONING

RS40 district, requiring a minimum lot size of 40,000 square feet.

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS40 (minimum 40,000 sq. ft. lots) to RS20 (minimum 20,000 sq. ft. lots). Although allowed to reduce minimum lot size two base zone districts, the applicant has chosen to use the RS20 district as the alternative lot size for bulk standard compliance since proposed lots range from 20,002 sq. ft. to 33,915 sq. ft.

Applicant has justified utilizing the cluster lot option because of the steep hillside topography associated with this site; in addition to asserting that 48% of the site will be preserved as natural vegetation or open space – and providing for an 8.3-acre pocket park across the street from all lots. Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, open space provisions require a minimum of 15% open space per phase. Applicant successfully complies with, and exceeds, this requirement by proposing a total of 4.41 acres (48%) of open space.

Landscape Buffer Yards

The cluster lot option allows perimeter lots abutting a conventional subdivision to be reduced in size the equivalent of one zoning district with the installation of a standard “B” landscape buffer yard, or perimeter lots may be reduced in size the equivalent of two zoning



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districts with the installation of a standard “C” landscape buffer yard. The proposed plat shows a standard “C” landscape buffer yard, 20 feet deep, behind all proposed lots.

SUBAREA 3 POLICY

This subdivision falls within the Subarea 3 Policy’s Residential Low (RL) policy and a portion of the Natural Conservation (NC) policy, which support very low-density residential development within a density range of less than two units per acre. In addition, the NC policy specifically supports the clustering of development on the less physically constrained portions of a development site. In this case, the cluster lot option is preferred in lieu of the 40,000 sq.ft. lots that may create a greater impact on the existing hillside than proposed. The applicant is proposing a unit density of 0.87 per acre.

SUBDIVISION DETAILS

Critical Lots

Hillside Development

The applicant has designated five lots as critical on the preliminary plan. Pursuant to the Metro Subdivision Regulations, prior to application for a building permit on a lot designated as “critical”, a plan shall be submitted to the Planning Commission staff for approval. No clearing or grading may take place prior to approval of the critical lot plan and issuance of a building permit. Regarding hillside development, a lot is designated as critical when an up slope is greater than 15% or a down or cross slope is greater than 20%.

This particular subdivision proposes one lot, lot seven, with a down slope of 18% and lots two, four, five, and six with cross slopes ranging from 20% to 27%.

Plan Details

The plan provides for one point of access to the subdivision off of Stevens Lane. This roadway terminates in a temporary cul-de-sac adjacent to lot eight, in the northeast corner of the site. Staff has requested that the applicant provide a temporary dead-end to allow future development on parcels 241 or 193 to provide street connectivity to this subdivision. In addition, sidewalks are proposed along both sides of the new roadway, Shieldsworth Lane, in accordance with current Public Works’ standards.



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SUBDIVISION VARIANCES

(Sec. 2-4.2, Lot Width)

4:1 Rule

Lots five and six of the proposed subdivision do not successfully meet the 4:1 lot width to depth ratio as required in the Metro Subdivision Regulations. The 4:1 rule requires that the proposed lot width, at the front yard line, not be less than 25% of the average lot depth. In this case, lot five requires a minimum front yard lot width of 65 feet and lot six requires a minimum front yard lot width of 59 feet. Lots five and six are proposed at 42 feet and 48 feet, respectively.

Based on existing topography and the applicant's desire to minimize impacts on the hillside, as well as the need to keep lot seven about 20,000 sq. ft., staff recommends approval of the variance.

TRAFFIC ENGINEER'S FINDINGS

Approve

CONDITIONS

Staff recommends conditional approval of this plat subject to a revised plat being submitted prior to recordation:

1. Add the following note, "Wheelchair accessible curb ramps, complying with applicable Metro Public Works standards, shall be constructed at street crossings."
2. Note #12 must be removed or revised to reflect the request for a subdivision variance for the 4:1 rule.
3. "Part of Parcel 215" must be added to the plat cover page.
4. For lots designated as critical, critical lot plans must be submitted to the Planning Commission for review and approval prior to application for a building permit.
5. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements.



Project No.
Project Name

Subdivision 2002S-012U-07
B.F. Cockrill Estates, Resubdivision of Lots 49 & 50

Associated Cases
Staff Reviewer

None
Hardison

Staff Recommendation

Approve with conditions subject to a variance for sidewalks along James Avenue and Croley Drive.

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide 2 lots with 0.65 acres into three (3) lots.

ZONING

R8 district requiring a minimum lot size of 8,000 square feet.

SUBDIVISION VARIANCES

Sidewalks
(Section 2-6.1)

A sidewalk is required along the frontages of all 3 lots on James Avenue and Croley Drive. Currently there are no sidewalks along either James Avenue or Croley Drive. The applicant has requested a variance due to absences of sidewalks in this area and the amount of roadwork that would be required by Public Works standards to construct sidewalks in this location. Sidewalks are required along both streets since these proposed lots will have frontage on both streets.

Metro Public Works Findings

James Avenue and Croley Drive at this location have 20 ft of pavement and 1 ft. of shoulder. There is a minimal drainage ditch along the roadways. The relocation of several NES poles will be required along with the removal of 5 mature trees. Construction of sidewalks to Public Works standards will require widening James Avenue by 17 feet (James Avenue is identified as a residential collector street) and Croley Street by 3 feet (Croley Street is identified as a residential local road) to meet the minimum Metro Standard ST-251. Curb and gutter is also required along with drainage improvements.

Recommendation

Approve. Two sections of sidewalk between 150 feet and 200 feet in length will require major reconstruction



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of the roadway by the required widening and construction of the curb and gutter system for a relatively short section of sidewalk, which is inconsistent with good planning and design

TRAFFIC ENGINEER'S FINDINGS

Approve

CONDITIONS

Staff recommends conditional approval subject to a variance for sidewalks along James Avenue and Croley Street.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2002S-261U-05
Howell Subdivision
None
Hardison

Staff Recommendation

Approve

APPLICANT REQUEST

Preliminary Plat Preliminary & Final Plat Final Plat

Subdivide one 0.93-acre parcel into three lots.

ZONING

RS10 district requiring minimum lot size of 10,000 square feet.

VARIANCES TO SUBDIVISION REGULATIONS

None

TRAFFIC

Traffic Study Submitted

No – none required

Traffic Engineer’s Recommendation

Approve



Project No.
Project Name

Planned Unit Development 9-77-U
Edmondson Commercial Center PUD
Wal-Mart Neighborhood Market

Council Bill
Associated Case
Staff Reviewer

None
None
Mitchell

Staff Recommendation

Approve with Conditions

APPLICANT REQUEST

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

Request to revise the Edmondson Commercial Center PUD to allow for the reconstruction of a smaller grocery store and the addition of a fuel pumping station.

PLAN DETAILS

The latest revision to the preliminary, approved in 1989, allowed for the development of a 60,000 sq. ft. grocery store, 11,000 sq. ft. of attached retail, and 1,800 sq. ft. of fuel service station. The construction of the grocery store and retail brought total square footage to 70,480, approximately 2,300 sq. ft. under the allowable maximum.

In 1998, the PUD was amended to cancel a 0.63-acre portion of the PUD, which was originally designed for the 1,800 sq. ft. fuel station but was ultimately developed as a drive-thru bank.

The applicant's plan proposes a 39,910 sq. ft. grocery store to be constructed by Wal-Mart, proposes to leave the existing 10,480 sq. ft. of attached retail unaffected, and proposes to place the fuel pumping station in the northeast corner of the existing parking lot. This fuel station will not provide convenience-type shopping or facilities other than restrooms. Required parking for the fuel station can be accommodated within the existing parking lot. The only major revision to the parking lot is the proposed location of handicapped parking stalls directly in front of the grocery store.



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TRAFFIC ENGINEER'S FINDINGS

Approve, subject to the addition of a note to the plan stating that existing sidewalks located within the public right-of-way, along the property lines, need to be brought into compliance, if necessary, with current Metro standards.

The applicant has proposed new sidewalks along Edmondson Pike in accordance with current standards.

CONDITIONS

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



Project No.
Project Name
Council Bill
Staff Reviewer

65-82-U-10
Maryland Farms
N/A
Leeman

Staff Recommendation

Approve with conditions, including the construction of sidewalks along the frontage of the property on Old Hickory Boulevard and Brentwood Boulevard. A revised plan showing sidewalks must be submitted to Planning Department prior to the Planning Commission meeting.

APPLICANT REQUEST

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

This request is to revise a portion of the preliminary plan and for final approval to develop a two-story, 8,200 square foot office building, replacing a 6,500 square foot bank.

The applicant has agreed to construct sidewalks along a 140-foot long section on Old Hickory Boulevard and a 140-foot long section on Brentwood Boulevard. Section 17.20.120 of the Zoning Code requires a 5-foot wide public sidewalk and a 4-foot wide grass strip along the frontage of non-residential developments.

Existing Zoning

Office Limited (OL)/
Commercial PUD

The OL district is intended for moderately intense bank and office uses. The Metro Council approved the existing commercial PUD in 1982, for 89,800 square feet of office, bank, and restaurant uses. A PUD amendment is not required since increasing the square footage on this part of the PUD by 1,700 square feet does not exceed 10% of the floor area last approved by the Metro Council, and the underlying OL base zoning permits the proposed office use.

TRAFFIC CONDITIONS

Old Hickory Boulevard is classified as a Scenic Arterial (S4) on the Major Street Plan calling for 4-lanes. Old Hickory Boulevard currently has 4-lanes.

Traffic Engineer's Findings

No exceptions taken.



Project No. 235-84-G-04
Project Name Harbor Village, Phase IV
Council Bill N/A
Associated Cases N/A
Staff Reviewer Leeman

Staff Recommendation *Approve with conditions.*

APPLICANT REQUEST

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

Existing Zoning
Multi-Family Res. (RM9)/
Residential PUD

This request is for final PUD approval to develop 93 multi-family units where 93 multi-family units were approved.

The RM9 district is intended for multi-family residential at up to 9 dwelling units per acre. The Metro Council approved an amendment to the PUD plan in July 2002, changing the building locations, internal driveways, and the amount of open space. The PUD was originally approved in 1984.

The 1984 preliminary PUD plan included 125 townhomes and 46 single-family lots for a total of 171 total units in all four phases. Phase IV was approved for 93 two-story, 1,300 square foot townhomes. The current proposal includes 93 townhomes that range in size from 1,300 square feet to 1,900 square feet per unit.

TRAFFIC CONDITIONS

Access will be through the existing portion of the PUD and to Spring Branch Drive. No traffic improvements were required at the preliminary PUD stage.

Traffic Engineer's Findings

No exceptions taken.

PUD CONDITIONS

The applicant has satisfied all of the conditions that can be met at this stage that were placed on this PUD by the Metro Council. The conditions are as follows:

1. The townhomes along the northern property line will be moved to a minimum rear setback of 30 feet



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except at the five units as shown on the enclosed exhibit (Exhibit A).

2. A 2 to 3 foot minimum berm above the finish floor elevation of the townhomes will be constructed at the rear of the townhomes along the existing sewer line at the northern property line.
3. Existing trees located within the first twenty feet along the northern property line will be left except for five locations where the proposed town homes are closer than 30 feet. At these locations the existing trees will be saved where possible. The required "B" buffer yard will be increased by 25% in planting density along the entire northern property line at these areas where the existing tree line cannot be saved. The quantity of trees and shrubs will be based on the 10-foot buffer even though the designed buffer may be 10 to 30 feet wide. If the existing tree line does not meet the 25% enhanced "B" buffer additional trees and shrubs will be planted to bring the area up to the required buffer. The proposed buffer will be submitted to the adjacent neighbors for comments. Plant materials will be carefully selected at each phase to provide an effective and consistent landscape buffer yard, regardless of the overall construction schedule.
4. There will be no second level windows on the rear (north) face of the structure abutting the northern boundary.
5. Construction activities will be controlled to comply with the Metro Zoning Ordinance's noise limitations.
6. The developer will seek permission to remove the abandoned structure foundations from a previous phase of Harbor Village throughout the construction process of Phase IV. If permission is secured, the developer will remove said foundations and restore the vacant lots to a clean and maintainable appearance.
7. The minimum unit square footage will be greater than 1,200 square feet including a one-car garage. The maximum unit square footage will not exceed 3,200 square feet including a one-car garage. The total square footage will not exceed 280,000 square feet. If the square footage exceeds 250,000 square feet a full "C" buffer will be installed along the northern property line.



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8. If blasting is required a pre-blast survey will be performed to Metro standards.



Project No.
Project Name

Planned Unit Development 88P-009G-12
Autumn Oaks Residential PUD
Phase 6

Council Bill
Associated Case

None
Revision to preliminary PUD & final approval for phase 5, scheduled for the 9-26-02 MPC meeting.
Mitchell

Staff Reviewer

Staff Recommendation

Approve with conditions as follows:
1. *Recordation of final plat prior to the issuance of any building permits.*
2. *Public Works must approve the final PUD plan prior to the Planning Commission meeting.*
3. *All lots must be designated as critical on the final PUD plan prior to the Planning Commission meeting.*

APPLICANT REQUEST

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

Permit the development of 21 single-family lots on the 7.6-acre phase 6 of the Autumn Glen residential subdivision, with phase 6 located off of Scarlet Ridge Drive.

PLAN DETAILS

Proposal is consistent with the revised preliminary PUD plan originally scheduled for the September 26, 2002 MPC meeting. The preliminary PUD plan has been revised to provide better interconnectivity of proposed roadways for the remainder of the subdivision; however, phase six is also affected – positively – by revisions to phase 5 which addressed Stormwater Management concerns and compensated for an existing cemetery. This positive revision is the removal of two cul-de-sacs by connecting phases five and six via Red Sunset Trail.

1. All lots will be designated as critical lots to be reviewed and approved by Metro Water Services, Public Works, and the Planning Department prior to the issuance of any building permits. A final plat must be recorded and bonds must be posted for the construction of public sidewalks and other necessary public improvements.



Project No.
Project Name

Planned Unit Development 2000P-003G-06
Riverwalk Community Residential PUD
Phase 2

Council Bill
Associated Case
Staff Reviewer

None
None
Mitchell

Staff Recommendation

Approve with Conditions

APPLICANT REQUEST

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

Permit the development of 148 single-family lots (phase 2) on a 52.06-acre portion of the 150.71-acre section of the Riverwalk Community residential subdivision located north of the CSX railroad tracks and south of the Harpeth River. The entire 150-acre section of this PUD includes phases two, three, and four. This request for final PUD approval is only for phase two.

Permit a revision to the preliminary plan to revise the acreage and number of units for phase two. The acreage is reduced, for this phase, from 78.5 to 52.06 acres, while the proposed number of lots are reduced from 171 to 148. Proposed lots will range in size from 5,445 sq. ft. to 19,908 sq. ft.

PLAN DETAILS

On March 15, 2001, the Planning Commission approved a revision to the preliminary plan and for final approval of phase one – which is the section of the PUD located south of the CSX railroad tracks and along Newsom Station Road. Staff requested that the sidewalk plan be revised to provide sidewalks along both sides of the proposed streets. The applicant contended that due to grade constraints sidewalks would not be feasible along both sides. Staff agreed that in lieu of sidewalks along both sides of the street, a connection could be provided from the PUD entrance to the proposed greenway trail in phases two, three, and four. This agreement between staff and the applicant is reflected in a revised sidewalk plan, submitted and



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approved by staff during the 2001 revision, which also reflects sidewalks along one side of the street for phases two, three, and four.

The submitted final PUD plan for phase two is consistent with the revisions made to the preliminary PUD plan and consistent with all PUD conditions.

TRAFFIC ENGINEER'S FINDINGS

Approve

CONDITIONS

1. A final plat needs to be recorded prior to the issuance of any building permits.
2. The final PUD plan for phase two needs to be revised, and submitted to the Planning Commission prior to making application for a final plat, to provide paired accessibility ramps that are not offset from each other. Paired ramps need to be provided perpendicular to all streets and must be placed so as to prevent any pedestrian from traveling behind a stopped vehicle.
3. Clearing, grubbing, and/or grading of land within phases three and four must not occur without final PUD approval for those phases.



Project No. 2000P-005G-06
Project Name Walgreen's--Bellevue
Council Bill N/A
Associated Cases N/A
Staff Reviewer Leeman

Staff Recommendation *Approve with conditions.*

APPLICANT REQUEST

Preliminary PUD Revised Prelim. Revised Preliminary & Final PUD
 Final PUD Amend PUD Cancel PUD

This request is to revise a portion of the preliminary plan and for final approval to develop a 14,560 square foot Walgreen's retail store and a 7,061 square foot retail building on the east side of the Old Harding Connector road. This plan is only for final PUD approval for only the two buildings on the east side of Old Harding Connector, but the road improvements and sidewalks for the entire plan.

The applicant is also requesting to change several of the traffic conditions that were made part of the preliminary approval. These changes are discussed below under the "Traffic Conditions" portion of the staff report.

Although this is a revision to the preliminary PUD plan, the proposed changes are minor. The changes include the relocation of 5 interior parking spaces and the relocation of the dumpster pad for the 7,061 square foot retail building on the south side of Old Harding Pike.

Existing Zoning
 Commercial Limited (CL)/
 Commercial PUD

The CL district is intended for retail, financial, office, and consumer service uses. The existing commercial PUD was approved by the Metro Council in August 2002, for two retail buildings and one retail/restaurant building.

TRAFFIC CONDITIONS

The Planning Commission approved the preliminary PUD plan with conditions on May 23, 2002, including the following traffic conditions:

1. Prior to the recording of a final plat, two mandatory referrals shall be approved by the Metro Council



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changing the name of the remaining portion of Old Harding Pike between Collins Road and the relocated portion of Old Harding Pike, and closing a portion of Old Harding Pike west of the Collins Road intersection.

After discussing this condition with Public Works it has been determined that the remaining portion of Old Harding Pike should keep the name Old Harding Pike, while the new portion of roadway will be called "Old Harding Pike Connector." With this change, no mandatory referral will be required.

The second portion of the condition required a mandatory referral prior to final plat recordation for the abandonment of the portion of Old Harding Pike west of Collins Road. This condition is proposed to be changed to require a mandatory referral to be approved by the Metro Council and a final plat recorded for Map 155, Parcel 105 prior to the issuance of a Use and Occupancy permit for the Walgreen's.

In conjunction with the submittal of any final PUD plan, construction plans for all required off-site road improvements shall be submitted to the Planning Commission for review and approval. All traffic improvements listed below shall be completed prior to the issuance of the first Use and Occupancy permit for any portion of the plan:

1. A new traffic signal at the intersection of Old Harding Pike and the Old Harding Pike Connector.
2. Modifications to the existing traffic signal at the intersection of the Old Harding Pike Connector and Highway 100.
3. Modifications to the existing traffic signal at the intersection of Collins Road and Highway 100.
4. Realignment of Old Harding Pike through parcel 113 on tax map 155 to include a five-lane section, as shown on the approved PUD plan.
5. Construct a northbound and southbound right and left-turn lane on the old portion of Old Harding Pike at the intersection of the Old Harding Pike Connector and Old Harding Pike.
6. Construction of all improvements at the Highway 100/Old Harding Pike/Collins Road intersection, as shown on page C1.03 of the submitted PUD plans.



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Traffic Engineer's Findings

These improvements include an eastbound left-turn lane and a westbound right-turn lane onto Collins Road, an eastbound and westbound right-turn and left-turn lane into the Kroger site. The improvements shall also include a southbound left-turn lane from Collins Road to Old Harding Pike and Highway 100. The turn lane shall be increased to allow adequate storage room for cars turning left onto Old Harding Pike.

No exceptions taken. The proposed final PUD plan is consistent with the conditions approved as part of the preliminary PUD plan.



Project No.
Project Name

Mandatory Referral 2002M-083U-11
1320 Little Hamilton Avenue Right-of-Way Encroachment

Council Bill
Associated Case
Staff Reviewer

None
None
Mitchell

Staff Recommendation

Approve, subject to receipt of all required departmental approvals.

APPLICANT REQUEST

A request for an existing building to encroach 0.73 feet into the Merritt Avenue Right-of-Way, property located at 1320 Little Hamilton Avenue.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes – one was submitted in correct form.

Insurance Certificate

Yes – one was submitted providing general liability of \$1,000,000 for each occurrence and \$1,000,000 for general aggregate coverage, as allowed by Metro Legal.

Property Owner Sign Application

Yes

Tenant Sign Application

N/A

DEPARTMENT AND AGENCY COMMENTS

None

RECOMMENDATION

Approval, subject to receiving all required departmental approvals.



Project No.
Project Name

Mandatory Referral 2002M-097U-08
Lease Agreement for property known as
Riverview Business Center II

Council Bill
Associated Case
Staff Reviewer

BL2002-1211
None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An ordinance approving a lease agreement between the Metropolitan Government of Nashville & Davidson County and Duke Realty Limited Partnership for certain real property located at 523 Mainstream Drive, commonly known as Riverview Business Center II, in order to provide temporary space for the Courts and related services for a term beginning April 1, 2003 and ending on March 31, 2006, as requested by Metro Public Property Administration.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY COMMENTS

None

RECOMMENDATION

All reviewing departments and agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2002M-098U-08
Lease Agreement for property known as
First Image Building

Council Bill
Associated Case
Staff Reviewer

BL2002-1210
None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An ordinance approving a lease agreement between the Metropolitan Government of Nashville & Davidson County and The Northwestern Mutual Life Insurance Company for certain real property located at 501 Great Circle Road, commonly known as First Image Building, in order to provide temporary space for the Courts and related services for a term beginning April 1, 2003 and ending on March 31, 2006, with the option to extend for two (2) additional years, as requested by Metro Public Property Administration.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY COMMENTS

None

RECOMMENDATION

All reviewing departments and agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2002M-099U-08
Lease Agreement for property known as
Corners I

Council Bill
Associated Case
Staff Reviewer

BL2002-1212
None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

An ordinance approving a lease agreement between the Metropolitan Government of Nashville & Davidson County and Peter Bruce Ltd. for certain real property located at 601 Mainstream Drive, commonly known as Corners I, in order to provide temporary space for the Courts and related services for a term beginning April 1, 2003 and ending on March 31, 2006, as requested by Metro Public Property Administration.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY COMMENTS

None

RECOMMENDATION

All reviewing departments and agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2002M-102U-10
The Row at 31st Av. Sewer Line Easement
Abandonment & Relocation

Council Bill
Associated Case
Staff Reviewer

None
Project No. 02-SL-48
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

A request to abandon and relocate a portion of a 20-foot sewer easement and 36-inch sanitary sewer main for Project No. 02-SL-048, property located at The Row at 31st Avenue, as requested by Metro Department of Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY COMMENTS

None

RECOMMENDATION

All reviewing departments and agencies recommend approval.



Project No.
Project Name

Mandatory Referral 2002M-103U-08
Underground Encroachment for Meharry Medical College

Council Bill
Associated Case
Staff Reviewer

None
None
Mitchell

Staff Recommendation

Approve, subject to receipt of all required departmental approvals.

APPLICANT REQUEST

A request to extend voice and data communication lines from the Lloyd C. Elam Center to the Henry Moses Building, both of Meharry Medical College, by installing two 4-inch conduits 18 to 24 inches under the 21st Avenue North Right-of-Way, approximately 150 feet north of the Albion Street / 21st Avenue North intersection, requested by Meharry Medical College.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes – one was submitted in correct form.

Insurance Certificate

Yes – one was submitted providing general liability of \$1,000,000 for each occurrence and \$2,000,000 for general aggregate coverage, as allowed by Metro Legal.

Property Owner Sign Application

Yes

Tenant Sign Application

N/A

DEPARTMENT AND AGENCY COMMENTS

None

RECOMMENDATION

Approval, subject to receiving all required departmental approvals.



Project Name

**HILLSBORO VILLAGE UDO DESIGN
REVIEW ADVISORY COMMITTEE**

Staff Reviewer

Fewcett

Business and neighborhood leaders in the Hillsboro Village area have requested a formal role in the process of administering the UDO guidelines. They have three purposes in mind. The first is to monitor the success of the UDO guidelines in carrying out the purpose and intent of the UDO district. Where they find the guidelines to be ineffective or insufficient, they would make recommendations for amendment of the guidelines. The second is to monitor the Planning Department's administration of the guidelines and provide feedback where the guidelines are vague or the applicability is not clear. The third is to encourage applicants for construction projects to upgrade their proposals in order to carry out the purpose and intent of the UDO guidelines at a higher level than the regulatory minimum standards.

Accordingly, staff has worked with these leaders and Councilmember Ginger Hausser to prepare for your approval a document that establishes a Hillsboro Village UDO Design Review Advisory Committee. The document sets forth the purposes, membership requirements, and procedures of the committee.

**HILLSBORO VILLAGE UDO DESIGN REVIEW ADVISORY
COMMITTEE**

Recognizing that interpretation of the intent of design guidelines of various Urban Design Overlay Districts (UDO) from time to time requires the exercise of judgment in the approval of final construction plans and recognizing that feedback from affected community representatives may provide valuable insight in the exercise of that judgment, the planning commission hereby establishes an advisory committee for the Hillsboro Village Urban Design Overlay District.

The design review committee shall consist of nine (9) members, who shall be:

- i. A Hillsboro Village UDO retail merchant owner representative
- ii. A Hillsboro Village UDO restaurant owner representative
- iii. A Hillsboro Village UDO office or mixed use owner representative
- iv. A representative of the Hillsboro-West End Neighborhood Association
- v. A representative of the Belmont-Hillsboro Neighbors, Inc.



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- vi. A Vanderbilt University representative
- vii. A Belmont United Methodist Church representative
- viii. A Financial Institution representative
- ix. A Hillsboro Village Merchants Association representative.

At least five (5) of the committee members shall represent owners of property within the Hillsboro Village UDO.

The design review committee shall be approved by resolution of the Planning Commission. The metropolitan council member(s) who represents the Hillsboro Village UDO shall be provided an opportunity to recommend business owner representatives for service on the design review committee and to recommend institutional, business and neighborhood organization or association representatives in the event those organizations do not furnish nominations. . Upon its approval by the planning commission, the committee may elect officers and establish any rules determined necessary by a majority of its members. The planning department shall provide staff as necessary to assist the committee in performing its functions.

b. Prior to approval of an application, the design review committee shall be given the opportunity to review applications for final construction plan approval for properties within the Hillsboro Village UDO for consistency with the overlay district guidelines and provide recommendations on proposed projects to the planning department.

c. The committee shall convene by whatever means it deems appropriate within five working days of being notified by the planning department that an application is pending or has been received or the planning department shall consider that the committee has no comments or recommendations for consideration. A recommendation of the design review committee shall reflect a majority vote of the members of the committee. In the event that a recommendation of the committee differs from the Planning Department's determination of compliance with the UDO guidelines, the matter shall be referred to the Planning Commission for a final determination.