



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
Of the
Metropolitan Planning Commission**

October 14, 2004

PLANNING COMMISSION:

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

Staff Present:

Richard Bernhardt, Executive Director
Ann Hammond, Asst. Director
Margaret Holleman, Legal Counsel
David Kleinfelter, Planning Manager II
Trish Brooks, Administrative Assistant
Kathryn Fuller, Planner II
Adriane Harris, Planner I
Bob Leeman, Planner III
Luis Pereira, Planner I
Chris Wooton, Planning Tech I
Anita McCaig, Planner II

I. CALL TO ORDER

The meeting was called to order at 4:06 p.m.

II. ADOPTION OF AGENDA

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

III. APPROVAL OF SEPTEMBER 23, 2004 MINUTES

Mr. McLean moved and Mr. Ponder seconded the motion, which passed unanimously to approve the minutes of September 23, 2004. **(8-0)**

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Dozier announced that he was in attendance to speak on Item #16—2004P-009G-14 which was on the Consent Agenda. He mentioned that he would address this issue if the case was removed from the Consent Agenda.

Councilmember Toler spoke regarding Item #8 – 2004Z-132G-12. He stated that he would be holding a meeting with the neighbors affected by this proposal to address any issues and concerns they may have on this development.

Councilmember Isabel spoke regarding Item #2 – 2004S-204U-05 Maple Manor. He requested that the Commission not defer action on this item.

Councilmember Gotto did not address the Commission.

Councilmember Shulman spoke in favor of Item #6 – 2004Z-130U-10. He stated that this request stems from the constituents affected by this proposed zone change because of their desire to protect the integrity of their neighborhood.

Ms. Cummings arrived at 4:08 p.m.

Mr. Tyler arrived at 4:15 p.m.

V. PUBLIC HEARING: ITEMS REQUESTED TO BE DEFERRED OR WITHDRAWN

1. 2004Z-109G-12 Change from AR2a to MUL at 7022 Nolensville Pike – Deferred indefinitely at the request of the applicant.
4. 2004M-092U-08 Close an un-built 200 foot portion of 31st Ave North – Deferred to November 11, 2004 at the request of the applicant
5. 2004Z-129U-05 Change from CS to IWD at 926 Dickerson Pike – Deferred to November 11, 2004 at the request of the applicant.
9. 2004S-104G-13 The Preserve At Old Hickory, Phase II – Request for preliminary plat approval for 146 lots on Old Hickory Boulevard – Deferred to November 11, 2004 at the request of the applicant
11. 2004S-286G-06 Magnolia Hills 1st Revision – Request to remove the sidewalk on 26 lots abutting either side of Magnolia Hills – Deferred to October 28, 2004 at the request of the applicant

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items. (9-0)

VI. PUBLIC HEARING: CONSENT AGENDA

- VIII.** General Plan Amendments - Donelson/Hermitage Community Plan Update - Approve

ZONING MAP AMENDMENTS

7. 2004Z-131U-05 Apply the Neighborhood Conservation Overlay District to Lillian Street, Boscobel Street, Shelby Avenue and South 19th Street - Approve

FINAL PLATS

12. 2004S-290U-10 Kenner-Manor, Resub lot 108 - Request for final plat approval to create 2 lots abutting Woodmont Boulevard -Approve w/ conditions with sidewalk variance
13. 2004S-302U-05 Kenmore Place, Resub of lots 62 and 63 – Request for final plat approval to create 3 lots on Kenmore Place and Oxford Street - Approve w/ conditions with sidewalk variance

PLANNED UNIT DEVELOPMENTS

14. 97P-011G-06 and 2004P-002G-06 Westchase and addition to Westchase - Request for final plan approval for a portion of the Westchase PUD and final approval for the Addition to Westchase Residential PUD abutting Old Charlotte Pike - Approve w/conditions
15. 98-73-G-02 Hickory Hills Commercial (Verizon Wireless) – Request to revise a portion of the preliminary and for final approval for a portion of the Commercial Planned Unit Development on Hickory Hills Boulevard and Old Hickory Boulevard - Approve w/conditions
16. 2004P-009G-14 Bridgewater (Re-Referred Plan from Council)- Request for preliminary approval for a PUD abutting Earhart Road and John Hager Road - Approve w/conditions

MANDATORY REFERRALS

17. 2004M-073G-03 Easement Acquisition at 4637 and 4641 Bull Run Road -Approve
18. 2004M-074U-14 Easement Acquisition at Map 108-00, Parcel 162 - Approve
19. 2004M-075U-05 Easement Acquisition at 3006-A Hillside Road - Approve
20. 2004M-076U-10 Easement Acquisition at 4021 Woodmont Boulevard - Approve
21. 2004M-077G-02 Easement Acquisition at 3534 and 3530 Dickerson Pike - Approve
22. 2004M-078U-05 Easement Acquisition at 1616 Boscobel Street and 1707 Russell Street - Approve

23. 2004M-079U-07 Easement Acquisition at 6309 Robertson Avenue - Approve
24. 2004M-090U-12 Property Acquisition in the Nolensville Road area -Approve
25. 2004M-095G-02 Easement Acquisition at 1245 Dickerson Pike - Approve
26. 2004M-096U-12 Easement Acquisition at 3758 Nolensville Pike - Approve
27. 2004M-097U-14 Easement Acquisition at 2879 Lyncrest Drive - Approve
28. 2004M-098U-10 Easement Acquisition at 910 Tower Place - Approve
29. 2004M-099U-07 Easement Acquisition at 4801 Alabama Avenue - Approve
30. 2004M-100U-05 Easement Acquisition along the west side of Cowan Street – Approve
31. 2004M-101U-13 Easement Acquisition at 121 Dowdy Court- Approve
32. 2004M-102U-12 Easement Acquisition at Old Hickory (unnumbered) -Approve
33. 2004M-103U-05 Easement Abandonment and relocation at the terminus of Beth Drive - Approve
34. 2004M-104U-14 Easement Abandonment and relocation south of Fernbrook Lane - Approve
35. 2004M-105U-13 Request to enter into a lease agreement with the Metropolitan Nashville Airport Authority at 1415 Murfreesboro Road- Approve
36. 2004M-106U-08 Property Acquisition at 1700-1728 Simpkins Street and 2116 and 2120 24th Avenue North for the Simpkins Street Sidewalk Improvements Projects - Approve

OTHER BUSINESS

37. Amendment to employment contract for Kathryn Fuller and Adriane Harris - Approve
38. Approve employment contract for Luis M. Pereira – Approve
39. Approve employment contract for Karen Hilton - Approve
40. Grant Agreement between TDOT and Metro (for the MPO) for Transportation Planning Process in the Nashville Urbanized Area under the Unified Work Program for the 2005 Fiscal Year"- Approve

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the Consent agenda with the removal of Items #12, 13, 14 and 16. **(10-0)**

Councilmember Dozier spoke in favor of Item #16 – 2004P-009G-14 Bridgewater. He mentioned that there were many community meetings held regarding this proposal and only knew of one person who was in opposition. He announced that due to a conflict of interest with Councilmember Gotto, this case was assigned to him as a Council-At-Large Councilperson.

VII. SUBDIVISION REGULATION AMENDMENTS

Staff Recommendation - Conduct a public hearing and approve subdivision text amendment.

REQUEST - Amend the text of section 2-6.1, Sidewalks, and section 5-2, Words and Terms Defined, of the Subdivision Regulations as they apply to requirements for sidewalks.

BACKGROUND - At a retreat last fall and a workshop in March, Planning Commissioners discussed objectives for revising sidewalk requirements in the Subdivision Regulations. More recently, Metropolitan Council BL2004-289 approved changes to the sidewalk requirements of the Zoning Code.

Professional staffs of Metro’s development review departments have collaboratively developed and now recommend compatible changes to both Zoning and Subdivision requirements for the private construction of sidewalks through the building and development processes.

CONTINUED FROM 9/23/04 - A public hearing was held on this item at the 9/23 meeting. The hearing was continued to this meeting to provide for required notice.

CHANGES TO PROPOSED TEXT - During the continuation, several housekeeping changes were made for language clarification, and two substantive changes were made. They are:

Specifying that the zoning ordinance will control requirements and appeal/variance procedures for construction of sidewalks along existing collector and arterial streets, in association with non-residential or multi-family

developments. This change removes redundancy from the development approval process by deferring to the zoning ordinance for the standards and procedures already codified in that document.

For a new subdivision street that has not yet been accepted by Metro, *explicitly allowing the developer to revise his plan to comply with the new sidewalk regulations instead of the regulations in effect at the time the subdivision was approved.* This change will meet the need for greater operational efficiency among reviewing departments when processing revisions to in-process subdivisions to modify sidewalks according to new requirements.

ANALYSIS - Presently, the Subdivision Regulations require sidewalk to be constructed through the development process along existing street(s) that front a subdivision and along both sides of all new streets developed within the subdivision. Relief can only be granted by the Planning Commission for justifiable variances that meet the hardship standards of section 1-10 of the Subdivision Regulations.

The proposed amendments to the Subdivision Regulations use the adopted *Strategic Plan for Sidewalks and Bikeways* as a guide to bring private sector responsibility for sidewalk construction in line with Metro's own capital investments in new sidewalk. The goal is to create a partnership that, over time, will build contiguous networks of sidewalk that provide safe and useful pedestrian connections between destinations. To achieve this goal, sidewalks along existing streets are required in developed and developing areas, which are defined as the Urban Services District (USD) and areas beyond the USD where streets score "20" or above on the *Strategic Plan's* Sidewalk Priority Index (SPI).

In addition, several new options for relief from sidewalk construction requirements are proposed. These are summarized in the highlights, below.

HIGHLIGHTS OF RECOMMENDED TEXT

Throughout the county, on new subdivision streets sidewalks are required on both sides, with the following exceptions:

1. Sidewalks are not required on new subdivision streets in industrial zoning districts.
2. Sidewalks are not required on new streets in residential subdivisions where the base zoning district requires a minimum lot area of at least 20,000 square feet and the area of each lot to be platted will be 20,000 square feet or greater.
3. Where all interior lots of an infill subdivision development are accessed from permanently dead-ended street(s) of no more than 750 feet in length, sidewalks are not required along the dead-end street(s).
4. Sidewalks are not required where a development regulated by an Urban Design Overlay, or other district governed by urban design standards, sets out special design intentions that exclude sidewalk on a street at the neighborhood edge, if approved by the respective decision-making body, either the Metropolitan Council or the Planning Commission.

On Existing Street(s) fronting a Subdivision, the developer has sidewalk responsibility in the Urban Services District (USD) and on streets outside the USD with a Sidewalk Priority Index (SPI) score of "20" or above. Streets scoring 20 or greater are in areas where Metro's capital investments are expected to build sidewalk connections, linking developer-built sidewalks into the larger sidewalk network. A map of the USD/SPI \geq 20 can be found on the following page.

On existing streets where there is a partial sidewalk network, the developer has the following obligations along the development's frontage:

- Repair or replace existing sub-standard sidewalk;
- Fill in a gap;
- Extend the existing sidewalk network;
- If there is already sidewalk on the same block face, build the sidewalk in front of the developing property.

On existing streets where there are no nearby sidewalks, the developer makes the choice to construct or pay a fee in lieu of constructing the sidewalk.

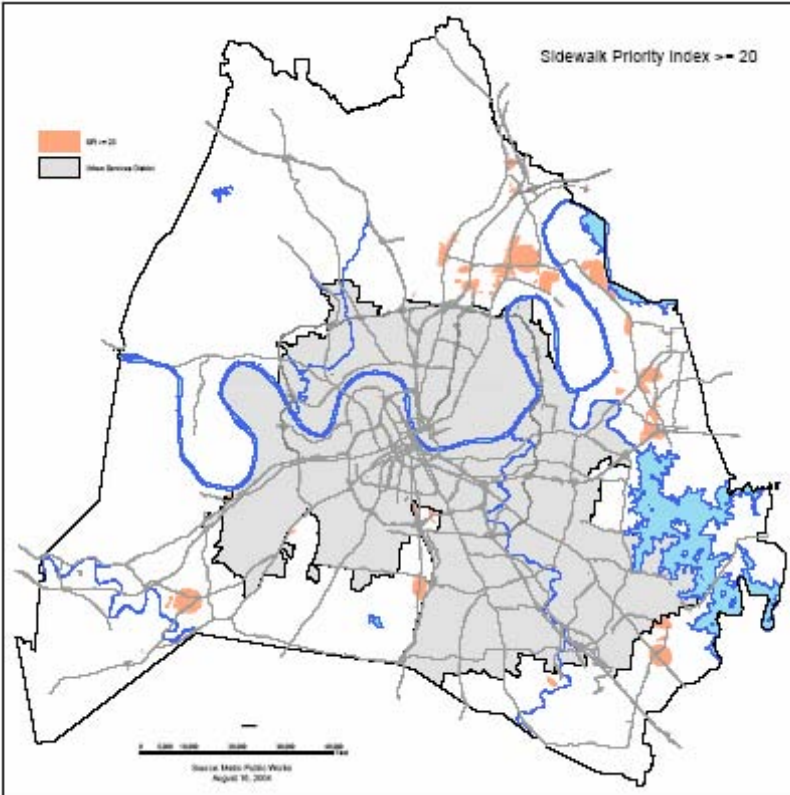
- If he/she builds the sidewalk instead of paying the fee, he can build in a manner consistent with the existing context (i.e., if there is curb and gutter drainage, build sidewalk with curb and gutter; if there is ditch drainage, build sidewalk with drainage in a ditch/swale).
- The planning director (for requirements in subdivision regulations) or the zoning administrator (for requirements in zoning code) will determine the "existing context" or existing conditions, with input from

the metro technical departments. This provision ensures that the developer has an avenue for appeal to the Planning Commission or the Board of Zoning Appeals, respectively, from the decision of the technical departments.

- If he/she opts for the fee, the fee must be spent by metro in the “pedestrian benefit zone” in which it is collected. The fee will be spent to further the implementation of the Strategic Plan (using plan priorities) in that pedestrian benefit zone, and must be allocated to a specific sidewalk project within two years of receipt.

A definition of “pedestrian benefit zones” is added. Eleven zones are established and represent individual areas where pedestrian circulation can take place without traversing major barriers to movement such as freeways, major highways, and rivers.

RECOMMENDATION - Staff recommends approval of the attached Subdivision Regulation Amendment.



Delete Section 2-6.1, Sidewalks, in the Subdivision Regulations and replace with the following:

2-6.1 Sidewalks and Related Pedestrian Facilities

A. Requirements for Sidewalks on New Subdivision Streets.

Sidewalks shall be located within the right-of-way on both sides of new public and private streets, including new extensions of existing streets, except as provided in 1. through 4., below. All sidewalks and pedestrian ways constructed upon public rights-of-way shall be in accordance with the adopted construction standards of the metropolitan government.

1. Sidewalks are not required on new subdivision streets in industrial zoning districts.
2. Sidewalks are not required on new streets in residential subdivisions where the base zoning district requires a minimum lot area of at least 20,000 square feet and the area of each lot to be platted remains 20,000 square feet or greater.
3. Where all interior lots of an *infill development*, as defined in section 5-2, are accessed from permanently dead-ended street(s) of no more than 750 feet in length, sidewalks are not required along the dead-end street(s).

4. Sidewalks are not required where a development regulated by an Urban Design Overlay, or other district governed by urban design standards, sets out special design intentions that exclude sidewalk on a street at the neighborhood edge, if approved by the respective decision-making body, either the Metropolitan Council or the Planning Commission.

B. Requirements for Sidewalks on Existing Streets Fronting the Property Subdivided.

1. Applicability.
 - a. The requirements and procedures of the Zoning Ordinance shall apply for construction of sidewalks along existing collector or arterial streets in association with non-residential or multi-family developments. The requirements and procedures of the Subdivision Regulations apply for all other development conditions.
 - b. The requirements of this subsection B for sidewalk construction shall not apply to any property outside of the Urban Services District where the Sidewalk Priority Index (SPI) score is less than twenty (20), as determined by the planning department after consulting the appropriate agencies of the metropolitan government. The Sidewalk Priority Index (SPI) is established in the Strategic Plan for Sidewalks and Bikeways, most recent edition adopted by the Metropolitan Planning Commission, and incorporated herein by reference.
2. Construction of sidewalks where there is an existing sidewalk network is required under the conditions set out in items a. through d. below. New sidewalks shall comply with the adopted standards of the metropolitan government consistent with existing sidewalk development along the block face. Where existing conditions do not meet an adopted standard, a design compatible with existing conditions may be considered and approved by the Planning Commission, upon the advice of the appropriate metropolitan government agencies.
 - a. Existing sidewalk repair or replacement. Sidewalks on street(s) fronting the property, that do not comply with a standard of the metropolitan government consistent with existing sidewalk development on the block face, shall be repaired or replaced as part of a new development.
 - b. New sidewalk to fill a gap in the existing network. New sidewalk shall be constructed on street(s) fronting the property wherever installation would be contiguous to and connect existing sidewalk segments.
 - c. New sidewalk to extend the existing network. New sidewalk shall be constructed on street(s) fronting the property wherever installation would be adjacent to and extend an existing sidewalk.
 - d. New Sidewalk on the same block face as existing sidewalk. New sidewalk shall be constructed on street(s) fronting the property wherever public sidewalk already exists on the same block face.
3. Construction of sidewalks or financial contribution to the pedestrian network. When the conditions of paragraph 1 of this subsection do not apply, the developer remains responsible for sidewalk(s) along street(s) fronting the property being subdivided, but may either construct a sidewalk or make a financial contribution to the metropolitan government in lieu of constructing, in accordance with subsection C. When built, new sidewalks shall comply with the standards of the metropolitan government, however a design compatible with existing conditions may be considered and approved by the Planning Commission, upon the advice of the appropriate metropolitan government agencies.
 - a. Exception: Only those lots platted that create a new or additional development right are subject to the sidewalk requirement of this subsection.
 - b. Alternative Pedestrian Trail. When an alternative pedestrian trail or greenway trail meeting Metro Greenways' design standards is proposed to be constructed by the developer, and the trail substantially serves the same purpose as a sidewalk along an existing street required by this paragraph, then the applicant may construct the trail as a substitute for that sidewalk section.

C. Contribution To The Pedestrian Network As An Alternative To Sidewalk Installation.

Where permitted by subsection B., 2. of this section, the developer may make a financial contribution to the metropolitan government in lieu of construction. The value of said contribution shall be the average linear foot

sidewalk project cost, determined on an annual basis by the Department of Public Works' review of sidewalk projects contracted for or constructed by the metropolitan government. Any such payments received by the metropolitan government shall be assigned and designated for implementation of the Strategic Plan for Sidewalk Capital Improvements, as amended from time to time. The fee in lieu of sidewalk construction shall be used to accommodate pedestrian needs within the pedestrian benefit zone in which the development property is located. The applicant's payment shall be allocated within 24 months of receipt of the payment, otherwise said payment shall be refunded to the subdivision applicant.

1. Fee Deadline – Prior to the recording of a final plat for the applicable phase(s) of any subdivision, the applicant shall either pay all in-lieu fees with a cashier's check or post a performance agreement with an accompanying security document, as defined in Section 4-1.2 of these regulations. Partial payments of the in-lieu fee (i.e. combinations of cash and surety) will not be accepted.
2. Security Document – Performance agreements shall be reviewed annually by the planning department in accordance with its established performance agreement procedures. However, in-lieu fee performance agreements are not eligible for reduction. The security document will be released once full payment of the in-lieu fee is made by cashier's check to the department of public works. Payment of the in-lieu fee shall be made (a) prior to the release of any bond covering roads and drainage or, (b) for projects without a bond for roads and drainage, for the same development phase or section to which the in-lieu fee applies.

D. Standards

1. Dimensions

The minimum width of public sidewalks shall be five (5) feet. Where concrete curbs are required or constructed, grass or landscaped areas or strips with a minimum width of four (4) feet shall separate all sidewalks from the adjacent street (Figure 2-6.1.D.1), except within ten (10) feet of a street intersection.

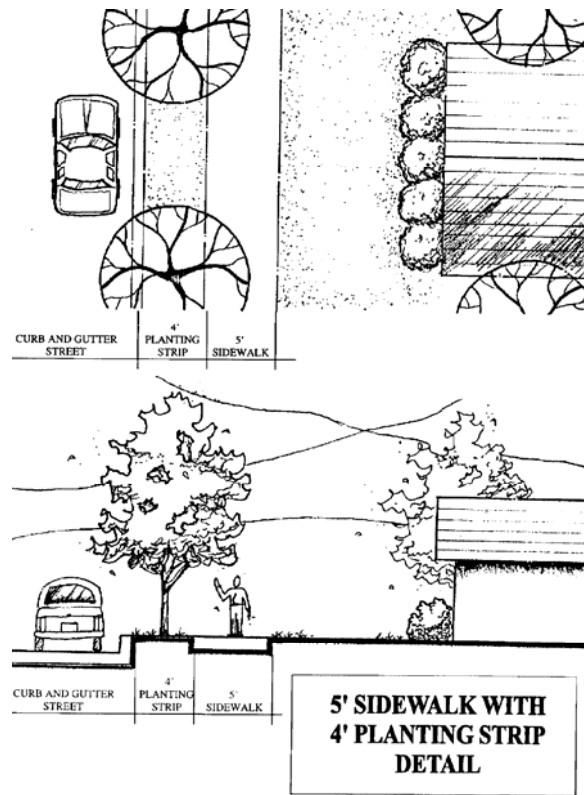


Figure 2-6.1.D.1: Dimensions

2. Encroachments/Obstructions (Figure 2-6.1.D.2)

Encroachments including, but not limited to utility poles, fire hydrants, parking meters, mailboxes, sign standards, and street furniture shall not be located within the concrete portion of the sidewalk area, unless determined to be compliant by Metro Public Works. However, drainage grates, tree grates, utility grates,

and manholes shall be permitted within a sidewalk provided four (4) feet of unobstructed clearance is provided on one side, unless less clearance is determined to be compliant by Metro Public Works.

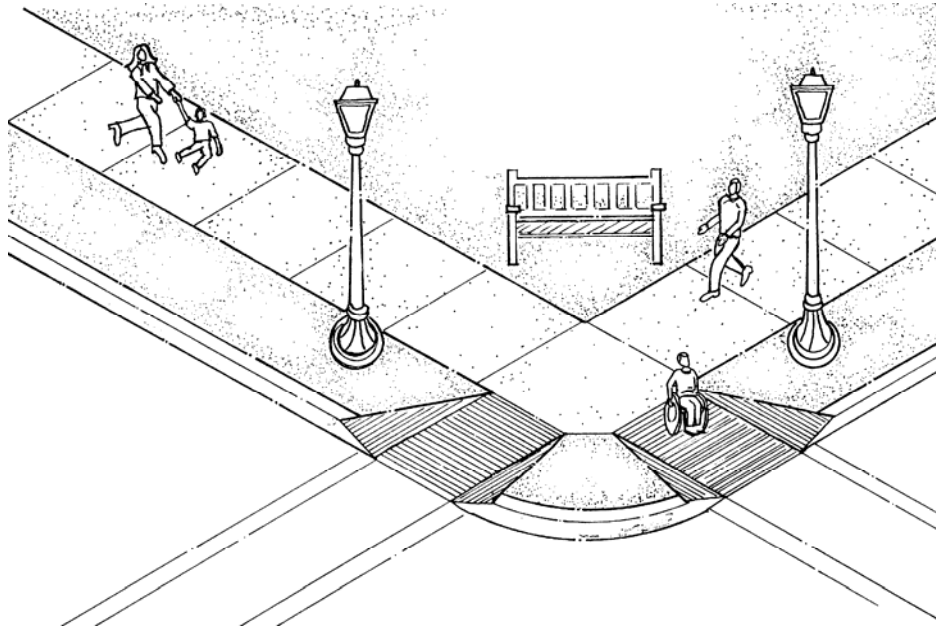


Figure 2-6.1.D.2: Encroachments/Obstructions

3. Tree Preservation

When specimen quality trees or other natural features exist, that are desired to be preserved or protected, in the path of a sidewalk, the sidewalk may be located so as to preserve those features. Under such conditions the sidewalk may be located within a pedestrian easement outside of the dedicated public right-of-way. Exceptions to allow a non-contiguous pedestrian easement may be considered by the Planning Commission, after obtaining a recommendation from the appropriate agencies of metropolitan government.

E. Pedestrian Easements

To facilitate pedestrian access from streets to existing or planned schools, museums, parks, greenways, playgrounds, or other nearby community facilities, major shopping malls, or commercial amusement activities, the Planning Commission or the Executive Director of the Metropolitan Planning Department may require perpetual unobstructed easements or dedications of land measuring at least ten (10) feet in width on a subdivision plat. Easements shall be indicated on the plat as a “public pedestrian access easement.”

F. Variances

The Planning Commission may grant a variance to any provision of Section 2-6.1 based upon the evidence presented to it in each specific case, as required in Section 1-10 of these regulations. Nothing in this section shall preclude an applicant from seeking a variance under Section 1-10 of these regulations.

G. Special Provisions for Subdivisions approved prior to the adoption of amendments to section 2-6.1, effective (insert effective date)

Along streets not yet accepted for maintenance by Metropolitan Government, the sidewalk requirements in effect at the time of subdivision approval shall apply, or, at the discretion of the developer, the subdivision plat may be revised to comply with the sidewalk requirements as amended.

Amend Section 5-2, Words and Terms Defined, by deleting the definition of Pedestrian Benefit Zone and replacing it with the following

Pedestrian Benefit Zone refers to each of eleven (11) zones, established in section 5-2, in which fees in-lieu of sidewalk construction may be collected, and where such fees shall be spent for the safety and convenience of pedestrians utilizing the sidewalk or pedestrian network within that zone. Each zone represents, to the extent practicable, an area where pedestrian circulation can take place without traversing major barriers to movement such as interstate freeways and major federal highways that are, by definition, unsafe or unsuitable for pedestrian crossing. Pedestrian Benefit Zones are described as follows:

Zone 1-A: Bounded by I-40 and I-265 on the southeast; Cumberland River on north/northwest; county line on west. (West, edge)

Zone 1-B: Bounded by Cumberland River and I-265 on the south; I-24 on the east and north; county line on the west. (Northwest, edge)

Zone 1-C: Bounded by I-24 on the west; I-65 on the southeast and east; county line on the north. (North, edge)

Zone 2-A: Bounded by I-65 on the northwest; I-24 on the west; Cumberland River on the south and east; county line on the northeast. (Northeast, edge)

Zone 2-B: Bounded by Cumberland River on the north/northwest; I-40 on the south/southwest; county line on the east. (East, edge)

Zone 3: Bounded by the downtown loop (Downtown)

Zone 4-A: Bounded by I-65 on the east/northeast; I-440 on the south and southwest; I-40 on the north and northeast. (Southwest, inner)

Zone 4-B: Bounded by I-65 on the east; I-440 on the north/northeast; I-40 on the northwest; county line on the south. (Southwest, edge)

Zone 5-A: Bounded by I-440 on the south; I-24 on the northeast and east; I-40 on the north/northwest; and I-65 on the west. (South, inner)

Zone 5-B: Bounded by I-24 on the east/northeast; I-65 on the west; I-440 on the north; and county line on the south. (South, edge)

Zone 5-C: Bounded by I-40 on the north; I-24 on the west and southwest; county line on the east. (Southeast, edge)

Ms. Hammond presented and stated that staff is recommending approval of the subdivision text amendment.

Mr. Small expressed issues relating to the proposed text amendment. He specifically addressed the issue regarding the specification that would not require sidewalks for an infill subdivision with dead end streets that are less than 750 feet; as well as the retroactivity affect that the text amendment would have on the current developments in relation to sidewalks.

Mr. Bernhardt addressed Mr. Small's concern regarding the retroactive effect of the new subdivision regulations.

Ms. Hammond addressed the issue regarding infill subdivisions.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to approve the Subdivision Regulation Amendments. **(10-0)**

Resolution No. 2004 –347

“BE IT RESOLVED by the Metropolitan Planning Commission that the Subdivisions Regulation Amendments were **APPROVED. (8-0)”**

VIII. GENERAL PLAN AMENDMENTS- DONELSON/HERMITAGE COMMUNITY PLAN UPDATE

Staff Recommendation - *Approve*

REQUEST - Adopt the Donelson-Hermitage-Old Hickory Community Plan: 2004 Update. This plan replaces the Subarea 14 Plan: 1996 Update.

Public Participation - Staff met with over 500 residents, property owners, and business owners during a series of nineteen community workshop meetings held during October 2003 – August, 2004. Staff presented the final draft plan at a meeting on August 31, 2004.

Highlights - Important goals of the plan include:

- *Balancing commercial growth and revitalization with neighborhood preservation;*
- *Accommodating demand for new residential development;*
- *Encouraging walkable mixed-use communities, especially at the commuter rail stations;*
- *Suggests several transportation improvements to increase connectivity, provide alternatives, and improve roadway function;*
- *Recognizes value and preserves community open space; and*
- *Provides opportunities for higher-intensity housing, especially for the area's ageing population, along major thoroughfares.*

Land use policies for the developed portions of the community remain substantially unchanged. A large majority of the community is therefore in RLM policy, reflecting the predominance of suburban residential development patterns in the community.

The plan also reflects the many open spaces, both public and private, in the community. Large areas, such as golf courses and state-owned properties have been placed in either Potential Open Space or Major Institutional policies, in order to visibly reflect their important places in the physical make-up of the area. Also, old Commercial Arterial Existing (CAE) and similar policy areas have been changed to the newer Community Center policy to encourage a wider mix of uses in these suburban centers.

A fairly significant change between the 1996 and 2004 plans is the use of Neighborhood General (NG) Structure Plan policy, as well as Mixed Use (MxU) Detailed Land Use policy. Neither of these existed or was available for use in 1996, and participants clearly stated the desire for a more balanced community in this recent update. The NG policy areas cover older neighborhoods like Old Hickory Village as well as newer areas that have potential to be developed into a more traditional neighborhood fashion. MxU covers properties, especially in “Downtown Donelson” and in Hermitage near the commuter rail stations, to encourage strategic intensification in these areas and to support ridership for the rail system.

The plan likewise prepares the community for the impending change in demographics, especially as the residents “age in place.” Corridor General (CG) policy areas, along Donelson Pike and Lebanon Pike not only prevent further commercial “stripping out” of these arterials, but more importantly allows higher-intensity residential such as senior housing, as well as many forms of institutional uses.

Several transportation improvements are also recommended in the plan – mainly aimed at balancing the need for roadway improvements with demand for alternative modes, such as greenways and bikeways. New street connections to serve the growing community are a critical part of the plan, the majority of which will be provided through the private sector as new development takes place.

Staff is recommending that the final draft plan be adopted.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –348

“BE IT RESOLVED by the Metropolitan Planning Commission that the Donelson/Hermitage Community Plan Update, General Plan Amendments, is **APPROVED. (8-0)**”

IX. PUBLIC HEARING: PREVIOUSLY DEFERRED ITEMS AND ITEMS ON PUBLIC HEARING

ZONING MAP AMENDMENTS

1. **2004Z-109G-12**
Map(s) 186, Parcel 14.01
Subarea 12 (2004)
District 31 (Toler)

A request to change from AR2a to MUL district at 7022 Nolensville Pike, south margin of Burkitt Road, (6.6 acres), requested by Mark Traylor, Boyle Nashville LLC, applicant for Michael Ray Boyle, et ux, owner.

The Metropolitan Planning Commission DEFERRED INDEFINITELY Zone Change 2004Z-109G-12 at the request of the applicant. (9-0)

PRELIMINARY SUBDIVISION PLATS

2. **2004S-204U-05**
Maple Manor
Map 60, Parcel 041
Subarea 5 (1994)
District 2 (Isabel)

A request for preliminary plat approval to create 80 lots abutting the north margin of Pine Ridge Drive, approximately 500 feet west of Dickerson Pike (17.34 acres), classified within the RS7.5 District, requested by George W. Hussey, owner/developer, Bruce Rainey & Associates, surveyor.

Staff Recommendation - Disapprove, only one legal access to the property is available at this time and two are necessary to develop at the density proposed by this plat.

Access to Pine Ridge Drive -The Final PUD and Final Plat for the Pine Ridge Development show an access easement adjacent to Pine Ridge Drive to allow for access from this property to Pine Ridge Drive. This subdivision proposes using this access for a road connection. A condition of approval was for this area to be dedicated as right-of-way.

The applicant provided a quit claim deed signed by Donzaleigh McCord as President of the Pine Ridge Homeowner's Association on September 1, 2004. According to information obtained from the Secretary of State, the Homeowner's Association was dissolved on May 16, 1997. Therefore, according to the Metro Legal Department, the quitclaim deed is not valid.

The Homeowner's Association will need to be reinstated and a new quit claim deed recorded, or the applicant will need to obtain signatures of each property owner within the boundary of the PUD to transfer the property to the developer for dedication as right of way. As a second option, the developer may pursue a secondary access in another location.

APPLICANT REQUEST

Preliminary Plat A request for preliminary plat approval to create 80 single-family lots on 17.34 acres (4.7 dwelling units per acre) located west of Dickerson Pike and along the north side of Pine Ridge Drive.

ZONING

RS7.5 District - Requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

SUBDIVISION DETAILS -The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS7.5 (minimum 7,500 sq. ft. lots) to RS3.75 size lots (minimum 3,750 sq. ft. lots). In this case the applicant is reducing one lot size to RS5 size lots (5,000 square feet).

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The plan proposes 3.07 acres of open space (17.7%), which complies with this provision.

The proposed subdivision will gain access via two local roads, Surf Drive (to the north) and Pine Ridge Drive (to the south). The subdivision plat for Pine Ridge Subdivision shows an access easement from Pine Ridge Drive, across the open space to this property. A condition of approval for this subdivision is that the private access easement be dedicated as public right-of-way. These two access points are crucial to the approval of this subdivision.

PUBLIC WORKS RECOMMENDATION

1. The developer for Maple Manor will need to show proof of right-of-way dedication to the Metropolitan Government of Nashville & Davidson County for the area through the open space of Pine Ridge, Section 2 to allow a public connection to Pine Ridge Drive.
2. Preliminary approval is subject to construction plan approval.

CONDITIONS

1. The developer must ensure that there are two street connections into this proposed development.
2. If a detention pond is placed in the open space behind lots 1 through 8, an access easement must be provided to the pond from the street that is wide enough to accommodate maintenance machinery.
3. Comply with Public Works' conditions of approval.

Ms. Fuller presented and stated that staff is recommending disapproval due to the issue that only one legal access to the property is available and two are necessary to develop at the density proposed by this plat.

Mr. Chris Hukan, 405A Two Mile Pike, spoke in favor of the proposal and requested that the case be deferred until November 11, 2004.

Ms. Nielson acknowledged that this proposal was previously deferred and suggested that the Commission take action on this case.

Mr. Lawson spoke regarding the legal issue of the proposal in that it does not contain two points of access. Mr.

Clifton commented on the owner's request to defer the item and questioned the effect a disapproval would have on the owner's application.

Mr. Lawson stated that if the proposal was deferred it would only delay the matters and resolution would not be obtained. If the proposal was disapproved, the applicant could make adjustments to the plat and resubmit his proposal.

Mr. Loring moved and Ms. Cummings seconded the motion, which passed unanimously, to deny the request to defer, and to disapprove Preliminary Plat 2004S-204U-05. **(10-0)**

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-204U-05 is **DISAPPROVED, only one legal access is available at this time, while two are required. (9-0)”**

PLANNED UNIT DEVELOPMENTS

- 3. 2004P-001U-10**
Hair Of The Dog Restaurant
Map 105-09, Parcel 46
Subarea 10 (1994)
District 18 (Hausser)

A request for preliminary approval for a Planned Unit Development located at the northwest corner of 12th Avenue South and Acklen Avenue, classified CS, (.39 acres), to permit an existing restaurant an exemption from the minimum distance requirement included in the beer provisions of the Metro Code, requested by Dale and Associates for Tracy Crawford.

Staff Recommendation - *Approve with conditions, or disapprove*

APPLICANT REQUEST - Preliminary & Final PUD

Request for preliminary and final PUD approval to allow for a distance exemption from the beer licensure requirements for an existing restaurant that is located at 1831 12th Avenue South, at the northwest corner of 12th Avenue South and Acklen Avenue.

Reason for Request - Per Metro Ordinance BL2003-1353, restaurants / bars that have already obtained a license from the Tennessee Alcoholic Beverage Commission permitting the sale of alcoholic beverages for on-premises consumption will be exempted from the minimum distance requirements for the issuance of beer permits if a Commercial PUD is established over the subject property.

EXISTING 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.

Although a restaurant / bar is a permitted use by right within the CS district, the intent of this PUD is to provide the Metro Council the ability to decide whether an applicant will be exempt from the distance requirements from certain uses as required in order to obtain a license to sell beer on premise.

PLAN DETAILS

The plan shows an existing building that fronts Acklen Avenue with the majority of parking located across 12th Avenue South in the Special Olympics of Tennessee Parking area. This shared parking arrangement provides 23 parking spaces from the Special Olympics of Tennessee parking area, as well as 8 parking spaces in front of the building on Acklen Avenue. Staff recommends that the parking area across 12th Avenue be used for employee parking and valet parking to avoid customers having to cross four lanes of traffic without a signalized crosswalk. In the alternative, a flashing light or other signal could be installed to provide increased visibility for patrons of the restaurant who will be crossing 12th Ave., South.

Staff attended a community meeting conducted by Councilmember Hausser on October 4. At this meeting, several residents of the neighboring properties expressed significant concerns about noise, traffic and parking issues related to the applicant's business. Councilmember Hausser is working with the neighborhood and applicant to determine conditions could be added to the proposed PUD in order to address these concerns. At the time of the writing of this report, staff has not received the proposed conditions.

As a result of the recent changes in the beer licensing laws enacted by the Council, this request by the applicant is essentially a request to expand the uses allowed on this property through the application of a PUD overlay. In light

of the location of this property adjacent to an established residential neighborhood, and in light of the concerns raised at the public hearing and subsequent community meeting, staff recommends the Commission either: 1) recommend approval of this PUD with the condition that prior to adoption of the PUD overlay by the Metro Council, the applicant must add noise and vibration attenuation to the structure sufficient to eliminate the transfer of noise and vibration off the property; or 2) without the addition of such conditions, staff recommends disapproval.

METRO PUBLIC WORKS' FINDINGS - No Exceptions Taken

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments generally must be approved by the Metropolitan Department of Codes Administration.

Mr. Kleinfelter presented and stated that staff is recommending approval of this PUD with the condition that prior to adoption of the PUD overlay by the Metro Council, the applicant must add noise and vibration attenuation to the structure sufficient to eliminate the transfer of noise and vibration off the property; or without the addition of such conditions, staff recommends disapproval.

Mr. Artis Adams, 1806 14th Avenue South, presented a copy of a petition of opposition to the Commissioners.

Mr. Jim Christian, 1831 12th Avenue South, spoke in favor of the proposal.

Ms. Mitzi Delay, 402 Acklen Avenue spoke in opposition to the proposal and submitted a letter of opposition to the Commission.

Ms. Mary Bothwell, 1415 Acklen Avenue, spoke in opposition to the proposal.

Ms. Helen Moore, 1409 Acklen Avenue, spoke in opposition to the proposal.

Ms. Tracy Crawford, 609 River Ridge, spoke in favor of the proposal.

Mr. Cole Dumas, 1401 Acklen, spoke in favor of the proposal.

Mr. Ben Demus, 1401 Acklen, spoke in favor of the proposal.

Mr. Craig Smith, 1100 Acklen Avenue, spoke in favor of the proposal.

Mr. Ponder expressed concerns regarding the safety issues associated with the location of the restaurant and its parking lot. He was in favor of adding the soundproofing condition to the proposal.

Ms. Cummings also supported the idea of including the soundproofing conditions if the proposal was approved.

Mr. Clifton requested further clarification on the legal issues included with the PUD. He spoke in opposition to approving the proposal.

Mr. McLean suggested that the proposal be disapproved without adding any conditions; thus allowing the Councilperson to add or delete any conditions they see necessary.

Ms. Nielson stated that the proposal does not adhere to the requirements of the PUD.

Mr. Small spoke in support of the application due to the technical aspects the Commission adheres to while approving PUDs.

Ms. Jones requested further clarification on the Commission's role in placing specific conditions on PUDs.

Mr. Loring spoke in opposition to the proposal.

Ms. Jones discussed the issue of the parking lot being a leased component of the PUD.

Mr. Clifton moved and Ms. Jones seconded the motion, to disapprove Planned Unit Development 2004P-001U-10. (7-3) No Votes - Ponder, Tyler, Small

Resolution No. 2004 –350

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004P-001U-10 is **DISAPPROVED. (7-3)**”

MANDATORY REFERRALS

4. **2004M-092U-08**
Map 092-10, Parcels 033, 034, 140, 164
Subarea 8 (2002)
District 21 (Whitmore)

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 Metropolitan Planning Commission DEFERRED Mandatory Referral 2004M-092U-08 to November 11, 2004 at the request of the applicant. (9-0)

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

5. **2004Z-129U-05**
Map 82-02, Parcel 46
Subarea 5 (1994)
District 5 (Murray)

A request to change from CS to IWD district at 926 Dickerson Pike, south of Whites Creek Pike, (0.39 acres), requested by Joseph R. Hernandez, Keystone Automotive Industries, applicant for M. H. Webb, owner.

The Metropolitan Planning Commission DEFERRED Zone Change 2004Z-129U-05 to November 11, 2004 at the request of the applicant. (9-0)

The Commission recessed at 5:30 p.m.

The Commission resumed at 5:45 p.m.

Ms. Cummings left the meeting at 5:30 p.m.

Mr. Lawson announced that the objections to having Items #12 – 2004S-290U-10, #13 – 2004S-302U-05, #14-97P-011G-06 and 2004P-002G-06, and #16 – 2004P-009G-14 heard on the consent agenda were removed, and that these items could be placed back on the Consent Agenda.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to place Items #12 – 2004S-290U-10, #13 – 2004S-302U-05, #14-97P-011G-06 and 2004P-002G-06, and #16 – 2004P-009G-14 back on the Consent Agenda and to approve. **(9-0)**

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6. **2004Z-130U-10**
Map 117-02, Parcel Various

Subarea 10 (1994)
District 25 (Shulman)

A request to change from R10 to RS10 district properties located along New Natchez Trace, Sterling Rd., Medial Avenue, and Timber Lane (31.93 acres), requested by Councilmember Jim Shulman, for various owners.

Staff Recommendation - *Defer to allow Metro Council to consider proposed text amendment to regulate location of two-family homes*

APPLICANT REQUEST - Rezone 31.93 acres from residential (R10) to residential single-family (RS10) district properties located along New Natchez Trace, Sterling Road, Medial Avenue, and Timber Lane.

Existing Zoning

R10 district - R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

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.

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.

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.

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 - Staff has previously taken the position that the Commission should not approve any further mass rezonings of property from R to RS until a text amendment can be considered to address the location of two-family dwellings. A text amendment has been prepared by staff and filed with the Metro Council. The bill is scheduled for public hearing at the Commission on October 28 and at the Council on November 4. Staff recommends that the Commission defer this application to allow the Council to consider the proposed text amendment.

Out of the 59 properties, there are five two-family dwellings and the remaining lots are single-family dwellings.

The five two-family dwellings in this area would be considered nonconforming and will be allowed to remain. The Zoning Code states that "a structure containing a two-family *nonconforming* use within an RS district may be restored within one year regardless of percentage of damage or destruction."

RECENT REZONINGS - None

TRAFFIC - No Exception Taken.

METRO SCHOOL BOARD REPORT

This rezoning is not expected to have a significant effect on student generation projections.

Ms. Harris presented and stated that staff is recommending deferral to allow Metro Council to consider a proposed text amendment to regulate location of two-family homes.

Mr. Mike Zinser, 3025 New Natchez Trace, spoke in favor of RS10 zoning.

Mr. David Weintraub 3014 Medial Avenue spoke in support of RS10 zoning.

Mr. David Friedman, 3006 New Natchez Trace, spoke in support of RS10 zoning.

Ms. Mary McMinn, 3011 New Natchez Trace, spoke in support of RS10 zoning.

Mr. Ray Press, 3007 Medial Avenue, spoke in support of the RS10 zoning.

Mr. Bill Sherman, 2407 Sterling Road, spoke in support of the RS10 zoning.

Mr. Steve Hayman, 3009 Medial Avenue, spoke in favor of RS10 zoning.

Mr. Chase Gober, 3002 New Natchez Trace, spoke in favor of RS10 zoning. Mr. Gober distributed photos of the area to the Commission. He did not leave the photos for the record.

Mr. Adam Epstein, 3704 Hobbs Road, spoke in opposition to RS10 zoning.

Ms. Veida Sherman, 2407 Sterling Road, spoke in support of RS10 zoning.

Mr. Loring spoke in support of the RS10 rezoning. He complimented Councilmember Shulman's work on the proposal.

Ms. Jones referenced the term "duplex" as mentioned by members of the audience in relation to this proposal. She expressed hesitancy in approving the zone change.

Mr. Small commented on the idea of the neighborhood trying to protect itself. He spoke in support of the RS10 rezoning.

Ms. Nielson spoke in support of RS10 zoning for this neighborhood.

Mr. McLean spoke in opposition to the RS10 rezoning.

Mr. Clifton commented on the issue of density control in relation to this zone change request.

Mr. Ponder requested clarification on the actual properties affected by this proposal and whether signatures of approval were obtained. He commented on other re-zonings of this type.

A discussion ensued among the Commission members regarding this proposal. Items of discussion were affordability and conservation overlays.

Mr. Loring moved and Mr. Ponder seconded the motion, to approve Zone Change 2004Z-130U-10. (7-2) (No Votes – Jones, McLean)

Resolution No. 2004 –351

"BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-130U-10 is **APPROVED. (7-2)**

The proposed RS10 district is consistent with the Subarea 10 Plan's Residential Low (RL), Residential Low Medium (RLM), and Residential Medium (RM) policies intended for residential development within a density range of one to nine dwelling units per acre."

Map, Parcel Various
 Subarea 5 (1994)
 District 6 (Jameson)

A request to apply the Neighborhood Conservation Overlay District to various properties along Lillian Street, Boscobel Street, Shelby Avenue, and South 19th Street (13.42 acres), requested by the Metro Historical Commission, applicant for various owners.

Staff Recommendation - Approve

APPLICANT REQUEST - To apply the Neighborhood Conservation Overlay District to various properties along Lillian Street, Boscobel Street, Shelby Avenue, and South 19th Street.

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.

SUBAREA 5 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 - The Neighborhood Conservation (NC) Overlay District is consistent with the policy in this area. The Subarea 5 plan calls for “Conservation of the established neighborhoods, including the nonconforming residential uses, and the nodes of neighborhood commercial development” (p. 84). The NC overlay district will protect the future development of these properties “in which no structure shall be constructed, altered, repaired, relocated or demolished in part or whole, increased in habitable area, or changed in height” unless approved by the Metro Historical Commission.

RECENT REZONINGS - Properties to the east between Douglas and Sharpe Avenue were rezoned to apply the Neighborhood Conservation Overlay District in July 2004. The Planning Commission recommended approval in June 2004.

TRAFFIC - No Exception Taken.

Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	25.19	6.18	112*	1072	84	113

*Existing Lots

Typical Uses in Proposed Zoning District: R6 with Overlay

Land Use (ITE Code)	Acres	Units Per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	25.19	6.18	112 *	1072	84	113

*Existing lots

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

Land Use	Acres	--	Total	Daily Trips	AM Peak	PM Peak
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(ITE Code)			Number of Units	(weekday)	Hour	Hour
--	--	--	--	0	0	0

METRO SCHOOL BOARD REPORT

This rezoning is not expected to have a significant effect on student generation projections.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –352

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-131U-05 is **APPROVED. (8-0)**

The proposed Neighborhood Conservation Overlay district (NCOD) is consistent with the Subarea 5 Plan’s Residential Medium (RM) policy intended for residential development with a density of four to nine dwelling units per acre. The Subarea 5 plan calls for “conservation of the established neighborhoods, including the nonconforming residential uses, and the nodes of neighborhood commercial development.” The NCOD would protect any future development of these properties to only allow the construction, alteration, repairing, relocation or demolition if approved by the Metro Historic Zoning Commission.”

- 8. **2004Z-132G-12**
Map 172, Parcel 172
Subarea 12 (2004)
District 31 (Toler)

A request to change from R20 to RS10 district at 6140 Mt. Pisgah Road, west side of Bryce Road (5 acres), requested by Dean Baxter and Mark Sarmadi, applicants, Mary H. Rucker, owner.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST - Rezone 5 acres from residential (R20) to residential single-family (RS10) district at 6140 Mt. Pisgah Rd., along the west side of Bryce Road.

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 for 9 lots or 12 dwelling units on with 25% duplex lots this site 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 19 dwelling units on this site.

SOUTHEAST 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.

Policy Conflict - No. The proposed RS10 district is consistent with the Southeast Community Plan’s RLM policy in this area intended for residential development at a density of two to four dwelling units per acre. It is also consistent with the surrounding zoning pattern. There is a RS10 district to the north and west of this property.

This property is within an infrastructure deficiency area regarding the widening of Edmonson Pike. Although these properties do not directly access Edmonson Pike, they will use Edmonson as their primary access. Staff recommends that properties in this area have coordinated access shown with a development plan for the area.

RECENT REZONINGS - Parcels 065, 180, and 199 were rezoned from AR2a to RS10 by the Metro Council in August 2003. The Planning Commission recommended approval in May 2003.

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 (210)	5	1.85	9	86	7	10

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	5	3.7	19	182	15	20

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				96	8	10

METRO SCHOOL BOARD REPORT

Projected student generation 2 Elementary 2 Middle 2 High

Schools Over/Under Capacity - Students would attend Shayne Elementary School, Oliver Middle School, or Overton High School. Overton has been identified as being over capacity by the Metro School Board. There is capacity at other high schools in the area (Glencliff, Hillsboro, and McGavock). This information is based upon data from the school board last updated January 16, 2004.

CONDITIONS

1. With the submittal of any preliminary or final plat on this property, coordinated access may be required to be provided between various parcels shown on an overall development plan for the area prior to development.

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

Mr. Robert Harrer, 1805 Bryce Circle, spoke in opposition to the proposal.

Ms. Renee Brackin, 1813 Brice Circle, spoke in opposition to the RS10.

Ms. Denise Johnson, 1821 Brice Circle, spoke in opposition the proposal.

Mr. Dean Baxter, applicant, spoke in favor of the proposal.

ZONING

R10 District: R10 requires a minimum 10,000 square foot lot and is intended for single -family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

R15 District: R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

SUBDIVISION DETAILS - This plat is consistent with the Subarea 14 Plan’s Residential Low Medium (RLM) policy calling for two to four dwelling units per acre. The Preliminary Plat was approved with conditions on April 22, 2004. The Planning Commission approved the final plat with the conditions stated below, and requiring that no grading permits be issued prior to final plat approval by the Planning Commission. Proposed lot sizes range from 10,000 square feet to 15,000 square feet. The proposed subdivision provides 0.47 acres (15%) of open space, while no open space is required since this is not a cluster lot subdivision. The open space includes a small portion of floodplain and a proposed detention pond. The detention pond is not within the floodplain area.

Sidewalks are proposed along the frontage of Warren Drive, as well as along both sides of Warren Court.

STORMWATER - The floodplain remains undisturbed with this proposal.

TRAFFIC ENGINEER’S FINDINGS - No exception taken.

CONDITIONS

Staff recommends conditional approval of this preliminary plat, subject to the following conditions:

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. NES approval shall be submitted prior to final plat recordation.

Mr. Leeman presented and stated that staff is recommending approval with conditions.

Ms. Susan Meece, 348 Rayon Drive, requested that the proposal be deferred for one meeting.

Mr. Ponder questioned whether the owner has requested a deferral on this proposal.

Mr. Leeman stated he has not had a request to defer from the owner.

Mr. Small questioned whether the stormwater issues associated with the project were resolved.

Mr. Leeman stated that the issues have been addressed because Stormwater has approved the grading plan.

Mr. Ponder moved and Ms. Jones seconded the motion, which passed unanimously to approve Final Plat 2004S-213G-14. **(9-0)**

Resolution No. 2004 –354

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-213G-14 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. NES approval shall be submitted prior to final plat recordation.”

11. **2004S-286G-06**
Magnolia Hills, 1st Revision
Map 155-12a, Parcel 1-26
Subarea 6 (2003)
District 35 (Tygard)

A request to remove the sidewalk on 26 lots abutting either side of Magnolia Hills Drive at Harding Pike (8.8 acres), classified within the RS15 Planned Unit Development District, requested by the various property owners of Magnolia Hills Subdivision, Wamble & Associates, surveyor.

The Metropolitan Planning Commission DEFERRED Final Plat 2004S-286G-06 to October 28, 2004 at the request of the applicant. (9-0)

12. **2004S-290U-10**
Kenner-Manor, resub lot 108
Map 116-08, Parcel 016
Subarea 10 (1994)
District 24 (Summers)

A request for final plat approval to subdivide one existing lot into two lots abutting the east margin of Woodmont Boulevard, approximately 400 feet north of Woodmont Circle (0.46 acres), classified within the R10 District, requested by Jim L. Butler and O.H. Mason, owners, John Hood, surveyor.

Staff Recommendation - *Approve with conditions, including approval of a sidewalk variance.*

APPLICANT REQUEST

Final Plat - This request is to subdivide one lot into two lots abutting the east side of Woodmont Boulevard, approximately 400 feet north of Woodmont Circle.

ZONING

R10 District - R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

SUBDIVISION DETAILS

Lot Comparability - Section 2-4.7 of the Subdivision Regulations states that lots proposed to be created in areas that are predominantly developed be generally in keeping with the lot frontage and lot area of surrounding lots.

A lot comparability test was conducted and the lot area yielded a minimum lot size of 7,819 sq. ft. and a minimum allowable lot frontage of 48 feet. Both lots passed for lot area and lot frontage.

Sidewalk Variance - Staff recommends approval of the sidewalk variance. This section of sidewalk, approximately 100 feet in length, will require moderate reconstruction of the roadway with curb and gutter for a relatively short section of sidewalk in two mid-block locations, which is inconsistent with good planning and design.

PUBLIC WORKS RECOMMENDATION - No Exception Taken.

CONDITIONS

1. Shared access is to be provided for both parcels.

Approved with conditions with sidewalk variance (10-0), *Consent Agenda*

Resolution No. 2004-355

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-290U-10 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. Shared access is to be provided for both parcels.”

13. **2004S-302U-05**
Kenmore Place, Resub. of lots 62 and 63
Map 72-07, Parcel 140-141
Subarea 5 (1994)
District 7 (Cole)

A request for final plat approval to create 3 lots on the south side of Kenmore Place and west side of Oxford Street (0.69 acres), classified within the RS7.5 district, requested by Carter E. Bolling, owner, Thornton & Associates, surveyor.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST

Final Plat - Request to subdivide two existing lots on .69 acres into three lots on the south side of Kenmore Place and the west side of Oxford Street.

ZONING

RS7.5 District - RS7.5 zoning requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre

LOT COMPARABILITY - The lot comparability provisions in the Subdivision Regulations require lots in areas that are predominantly developed to be generally in keeping with the lot frontage and lot area of surrounding lots. Lot comparability may not be required if a smaller lot size is consistent with the General Plan.

The lot comparability test conducted for this proposal yielded a minimum lot size of 9,964 square feet and a frontage of 53 feet. Lots 1 and 2 are 9,750 square feet and thus do not meet the strict application of lot comparability; however they qualify for a waiver under Section 2-4.7.A (2) of the Subdivision Regulations because the proposed lots are located within a one-quarter mile radius of an area designated as commercial policy. Within less than a one-quarter mile radius of the proposed subdivision is an unmapped commercial node that functions to meet the frequent commercial needs of nearby residences. The lot comparability waiver provisions were put in place to allow infill development in areas near commercial nodes to encourage higher-density, more walkable neighborhoods near these nodes.

SIDEWALK VARIANCE - Two existing homes will remain on the lots fronting Oxford Street, so sidewalks were only required on the new lot fronting Kenmore Place.

The applicant has requested a sidewalk variance for the new lot fronting on Kenmore Place because there are currently no other sidewalks, and drainage ditches are used to carry stormwater. The roadside drainage ditches would require the installation of a subsurface system with new sidewalk construction that would be detrimental to the overall drainage system of the surrounding properties.

Staff recommends approval of the sidewalk variance. A section of sidewalk approximately 70 feet in length will require moderate reconstruction of the roadway with curb and gutter and a retaining wall for a relatively short section of sidewalk in a mid-block location, which is inconsistent with good planning and design.

PUBLIC WORKS RECOMMENDATION - No exceptions taken.

CONDITIONS

1. Add subdivision number 2004S-302U-05 to the plat prior to recordation.

2. Make the P.U.E. (public utility easement) along the roadside a P.U.D.E. (public utility and drainage easement) to cover the roadside ditches.
3. Label lot 3 as parcel 375.

Approved with conditions with sidewalk variance (10-0), *Consent Agenda*

Resolution No. 2004 –356

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-302U-05 is **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. Add subdivision number 2004S-302U-05 to the plat prior to recordation.
2. Make the P.U.E. (public utility easement) along the roadside a P.U.D.E. (public utility and drainage easement) to cover the roadside ditches.
3. Label lot 3 as parcel 375.”

XIII PLANNED UNIT DEVELOPMENTS (revisions and finals)

- 14. 97P-011G-06 and 2004P-002G-06**
Westchase and addition to Westchase
Map 114, Parcel part of 39, 91, And 300
Subarea 6 (2003)
District 22 (Crafton)

A request for final plan approval for a portion of the Westchase PUD and final approval for the Addition to Westchase Residential Planned Unit Development districts located abutting the south side of Old Charlotte Pike, opposite Gower Road, classified RS10 and RS20, (37.4 acres), to permit the development of 61 single-family lots in two separate phases, requested by Anderson-Delk and Associates for Tennessee Contractors, Inc.,

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Final PUD (Addition to Westchase)

Request for final PUD approval for 45 single-family lots in the Addition to Westchase development. The PUD property is located along the south margin of Old Charlotte Pike and runs along the eastern margin of Overall Creek. The plan also includes a permanent cul-de-sac so that the extension of the road will not connect to Old Charlotte Pike in the future.
(Westchase)

Request for final approval for the Westchase Residential PUD to develop 16 lots connecting to the Addition to Westchase PUD to the north. The PUD property is located along the north margin of Charlotte Pike, south of Old Charlotte Pike. Several of the lots are designated as Critical Lots and will require individual review pursuant to the Metro Subdivision Regulations due to topography.

Open Space Provisions: The applicant is required to provide a minimum of 15% open space – or approximately 4.7 acres in this case. Because of the hillside and slopes associated with it, the applicant is providing well over the minimum required.

Floodplain: The proposed subdivision is located adjacent to the Overall Creek 100-year floodplain; however, the majority of floodplain, as well as all of the floodway, is located on the west side of the creek since the grade begins to slope to the southeast on the subject site.

METRO PUBLIC WORKS' COMMENTS - It is recommended that an eastbound turn-lane, with 125-feet of storage, be provided on Charlotte Pike, at the entrance to the existing Westchase Residential PUD.

CONDITIONS

1. Prior to final plat recordation, a bond must be posted for all public infrastructure improvements, including an eastbound turn lane into the existing Westchase Residential PUD along Charlotte Pike with 125 feet of storage.

Approved with conditions **(10-0)**, *Consent Agenda*

Resolution No. 2004 –357

“BE IT RESOLVED by the Metropolitan Planning Commission that 97P-011G-06 and 2004P-002G-06 are **APPROVED WITH CONDITIONS. (9-0)**

Conditions of Approval:

1. Prior to final plat recordation, a bond must be posted for all public infrastructure improvements, including an eastbound turn lane into the existing Westchase Residential PUD along Charlotte Pike with 125 feet of storage.”

15.

98-73-G-02

Hickory Hills Commercial (Verizon Wireless)
Map 31, Parcel 154
Subarea 2 (1995)
District 3 (Hughes)

A request to revise a portion of the preliminary and for final approval for a portion of the Commercial Planned Unit Development district located along the west side of Hickory Hills Boulevard, north of Old Hickory Boulevard, classified OR20, (12.4 acres), to permit a 51,405 square foot office/equipment building for a wireless communications company, requested by PBS&J for Verizon Wireless Tennessee Partnership, owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Revise Preliminary and final

Request to revise the preliminary plan and for final PUD approval for the Hickory Hills Commercial PUD to allow for the development of a 51, 405 square foot building, including 22,090 square feet of office and 29,315 square feet of for equipment space, replacing a 47,000-square foot building approved on January 22, 2004, on a 12.4-acre tract. The property is located along the west side of Hickory Hills Boulevard, north of Old Hickory Boulevard.

PLAN DETAILS - Prior to January 2004, the preliminary PUD was approved for the development of 78,000 square feet of office / distribution for this phase. The plan was revised in January 2004, to split this lot into two phases – the first being the 47,000-square foot switching station and the second being 23,900 square feet of expansion area for that use. The current plan now increases the square footage in one phase, but would still fall below the Council-approved 78,000 square feet allowed for this lot within the overall PUD.

TRAFFIC ENGINEER'S FINDINGS - No Exceptions Taken

CONDITIONS

1. 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.

Approved with conditions (10-0), *Consent Agenda*

Resolution No. 2004 –358

“BE IT RESOLVED by the Metropolitan Planning Commission that 98-73-G-02 is **APPROVED WITH CONDITIONS. (8-0)**

Conditions of Approval:

1. 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.”

16.

2004P-009G-14

Bridgewater (Re-Referred Plan From Council)
Map 98, Parcel 34
Subarea 14 (2004)
District 12 (Gotto)

A request for preliminary approval for a Planned Unit Development located abutting the west margin of Earhart Road and the north margin of John Hager Road, classified AR2a and proposed for R15, (115.56 acres), to permit the development of 290 lots, including 192 single-family and 98 duplex lots, requested by Frank C. Batson Homes for Neal Smith owner.

Staff Recommendation - *Approve with conditions.* Recommend approval of sidewalk variance requests for “old” John Hager Road due to topographic constraints, along Earhart Road, and along a portion of an internal roadway since the plan has been revised to include an extensive internal trail network, and since there are topographic conditions limiting sidewalk constructability.

APPLICANT REQUEST - Preliminary PUD

Request to revise the originally submitted preliminary PUD plan based on a new survey of the property to relocate several internal streets while still allowing for the same number of units, including 192 single-family detached lots and 98 single-family attached (duplex) lots on approximately 115 acres. The applicant is also requesting sidewalk variances to construct sidewalks along what will become “old” John Hager Road, along the frontage on Earhart Road, and along an internal portion of the development where no lots face the street. The property is located along the north side of John Hager Road and along the west side of Earhart Road.

PLAN DETAILS

Site Design: The proposed plan calls for the development of three different housing types. The predominant type is the front-loaded lot with garages in front within the 8,000 to 10,000-square foot range. The second type is a more traditional approach, with garages designed to the rear of each site and accessed by a private alley. The last housing type proposed is the single-family attached units that will be marketed more for the elderly demographic, and are located within their own “alcove” of the subdivision. A condition was placed on this development originally that requires greater interconnectivity between housing types, which has been achieved through an internal system of trails and sidewalks.

Access & Connectivity: The development attempts to mold itself into the existing residential fabric by providing connections to John Hager Road at two points, access to Earhart Road, and access to the north to a yet-to-be-named, or built, roadway. There will be four points of public roadway access to the new subdivision.

Density: With the updated survey of the property, which reduced the site acreage by three acres, the applicant has decided to use Section 17.36.090 (Development Bonuses) of the Zoning Ordinance to achieve the same density as was proposed with the first plan with three less acres. This section of the Code allows for up to a 25% density bonus for the dedication of land for drainage mitigation measures over what is otherwise required for the development.

Relocation / Realignment of John Hager Road

As part of this PUD, the applicant is proposing to realign John Hager Road on the west side of Earhart Road. Since the project site is located in the northwest corner of the current location of John Hager and Earhart, the developer is proposing to bring John Hager to the north, beginning around the recently-platted Hager’s Grove subdivision, and extending the collector road to directly across from the existing T-type intersection of John Hager and Earhart. Staff supports the utilization of the preferred collector street cross-section as called for in the Metro Nashville Bicycle & Pedestrian Plan. This alternate roadway cross-section provides a wider sidewalk (6 feet) and Wide-Outside Lanes (WOL) for bicycles.

TRAFFIC

Metro Public Works Recommendation - Public Works recommends conditional approval, subject to the following conditions, generated from review of the required Traffic Impact Study (TIS):

1. Construct realigned John Hager Rd as collector cross-section with wide outside lanes (WOL) per the Strategic Plan for Bikeways.
2. Provide continuous center turn lane on new section of John Hager Rd with 75 ft of dedicated storage for eastbound left turns at streets A, D, and E. Provide 150 feet of dedicated storage for eastbound left turns at the intersection with Earhart Road.
3. Provide 2 exit lanes and 1 entering lane for street D at intersection with John Hager Road.
4. Trails shall intersect roadways at street intersections.

CONDITIONS

1. All internal pedestrian paths, excluding public sidewalks, because of their standard construction requirements, shall be a minimum of 4 feet in width and either paved or constructed with a permanent material such as pea gravel with railroad lumber edges.
2. If sidewalk variance is granted by the Commission, there shall be a paved trail, in a public, pedestrian access easement, along the east side of Local Street D, across from Lots 80A to 88A. If variance is granted, sidewalks are not required along the west side of Local Street I or the south side of Local Street G, but a paved trail, in a public pedestrian access easement shall also extend across the open space to connect the path along Street D with the Street G.
3. The developer shall determine what areas of the entire pedestrian path may create potential safety concerns, such as areas that lack visibility from adjacent homes, and shall light these areas of the path.
4. This preliminary plan approval for this portion of the master plan 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.
5. Prior to the first final plat recordation, all traffic mitigation recommendations provided by the Public Works Department shall be completed or bonded with the appropriate performance agreement.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –359

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004P-009G-14 is APPROVED WITH CONDITIONS. (9-0)

Conditions of Approval:

1. Construct realigned John Hager Rd as collector cross-section with wide outside lanes (WOL) per the Strategic Plan for Bikeways.

20. **2004M-076U-10**
Map 116-08, Parcel 97
Subarea 10 (1994)
District 24 (Summers)

A request for easement acquisition for Stormwater drainage construction at 4021 Woodmont Boulevard, Metro Water Services Project No. 03-D-0358, requested by Metro Water and Sewerage Services.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for easement acquisition for Stormwater drainage construction at 4021 Woodmont Boulevard, Metro Water Services Project No. 03-D-0358, 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, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES).

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –363

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-076U-10 is **APPROVED (8-0)**”

21. **2004M-077G-02**
Map 50, Parcel 40, 43
Subarea 2 (1995)
District 3 (Hughes)

A request for easement acquisition for Stormwater drainage construction at 3534 and 3530 Dickerson Pike, Metro Water Services Project No. 02-D-227, requested by Metro Water and Sewerage Services.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for easement acquisition for Stormwater drainage construction at 3534 and 3530 Dickerson Pike, Metro Water Services Project No. 02-D-227, 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, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES).

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –364

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-077G-02 is **APPROVED. (8-0)**”

-
22. **2004M-078U-05**
Map 83-14, Parcels 60, 83-14 292
Subarea 5 (1994)
District 6 (Jameson)

A request for easement acquisition for Stormwater drainage construction at 1616 Boscobel Street and 1707 Russell Street, Metro Water Services Project No. 04-D-662, requested by Metro Water and Sewerage Services.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for easement acquisition for Stormwater drainage construction at 1616 Boscobel Street and 1707 Russell Street, Metro Water Services Project No. 04-D-662, 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, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES).

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –365

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-078U-05 is **APPROVED. (8-0)**”

23. **2004M-079U-07**
Map 90-12, Parcel 34
Subarea 7 (2000)
District 20 (Walls)

A request for easement acquisition for Stormwater drainage construction at 6309 Robertson Avenue, Metro Water Services Project No. 03-D-634, requested by Metro Water and Sewerage.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for easement acquisition for Stormwater drainage construction at 6309 Robertson Avenue, Metro Water Services Project No. 03-D-634, 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, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES).

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –366

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-079U-07 is **APPROVED. (8-0)**”

24. **2004M-090U-12**
Map147-11, Parcels 42
Subarea 12 (2003)
District 27 (Foster)

A request for property acquisition in the Nolensville Road area for use in a public project for the Metro Government of Nashville and Davidson County, specifically with relation to the construction of a new Head Start Center.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for property acquisition in the Nolensville Road area for use in a public project for the Metro Government of Nashville and Davidson County, specifically with relation to the construction of a new Head Start Center.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –367

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-090U-12 is **APPROVED. (8-0)**”

25. **2004M-095G-02**
Map 33, Parcel 78
Subarea 2 (1995)
District 10 (Ryman)

A request for an easement acquisition at 1245 Dickerson Pike, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0719.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for an easement acquisition at 1245 Dickerson Pike, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0719.

APPLICATION REQUIREMENTS - None

DEPARTMENT AND AGENCY RECOMMENDATIONS - This item is recommended for approval by the Metro Water & Sewerage Services Department, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES). NES has an overhead distribution on this parcel.

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –368

28. **2004M-098U-10**
Map 132-05, Parcel 27
Subarea 10 (1994)
District 25 (Shulman)

A request for an easement acquisition at 910 Tower Place, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 03-D-0365.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for an easement acquisition at 910 Tower Place, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 03-D-0365.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –371

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-098U-10 is **APPROVED. (8-0)**”

29. **2004M-099U-07**
Map 91-11, Parcel 314
Subarea 7 (2000)
District 24 (Summers)

A request for an easement acquisition at 4801 Alabama Avenue, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0716.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for an easement acquisition at 4801 Alabama Avenue, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0716.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –372

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-099U-07 is **APPROVED. (8-0)**”

30.

2004M-100U-05

Map 71-14, Parcel 387, 82-02, 78
Subarea 5 (1994)
District 2 (Isabel) and District 5 (Murray)

A request for an easement acquisition along the west side of Cowan Street, requested by Metro Water and Sewerage Services, Project No. 04-DL-0715, Cowan Street Riverbank Protection Project.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for an easement acquisition along the west side of Cowan Street, requested by Metro Water and Sewerage Services, Project No. 04-DL-0715, Cowan Street Riverbank Protection Project.

APPLICATION REQUIREMENTS - None

DEPARTMENT AND AGENCY RECOMMENDATIONS - This item is recommended for approval by the Metro Water & Sewerage Services Department, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES). NES has overhead distribution in this location.

Planning staff also supports the request.

Approved **(10-0)**, *Consent Agenda*

Resolution No. 2004 –373

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-100U-05 is **APPROVED. (8-0)**”

31.

2004M-101U-13

Map 148-12, Parcel 165
Subarea 13 (2003)
District 28 (Alexander)

A request for an easement acquisition at 121 Dowdy Ct., for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 03-DL-0482.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for an easement acquisition at 121 Dowdy Ct., for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 03-DL-0482.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved **(10-0)**, *Consent Agenda*

Resolution No. 2004 –374

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-101U-13 is **APPROVED. (8-0)**”

32.

2004M-102U-12
Map 161, Parcel 43
Subarea 12 (2004)
District 31 (Toler)

A request for an easement acquisition at Old Hickory Blvd. (unnumbered), for a permanent detention pond, requested by Metro Water and Sewerage Services, Project No. 04-DL-0717.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for an easement acquisition at Old Hickory Blvd. (unnumbered), for a permanent detention pond, requested by Metro Water and Sewerage Services, Project No. 04-DL-0717.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –375

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-102U-12 is **APPROVED. (8-0)**”

33.

2004M-103U-05
Map 84, Parcel 8, 8.01,23
Subarea 5 (1994)
District 7 (Cole)

A request for an easement abandonment and relocation at the terminus of Beth Drive, requested by Metro Water and Sewerage Services, Project No. 04-SL-110.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for an easement abandonment and relocation at the terminus of Beth Drive, requested by Metro Water and Sewerage Services, Project No. 04-SL-110.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (10-0), *Consent Agenda*

Resolution No. 2004 –376

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-103U-05 is **APPROVED. (8-0)**”

42. Legislative Update

XVI. ADJOURNMENT

The meeting was adjourned at 6:45 p.m.



Chairman

Secretary