



**Project Name**  
**Associated Case**  
**Staff Reviewer**

**Subdivision Text Amendment/Sidewalks**  
None  
Hammond

**Staff Recommendation**

Conduct a public hearing and approve subdivision text amendment.

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**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.

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**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.

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**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.

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**CHANGES TO PROPOSED TEXT**

During the continuation, several housekeeping changes were made for language clarification, and two substantive changes were made. They are:

1. 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.
2. 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*



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*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.*

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### 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.

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### 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.



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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



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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.

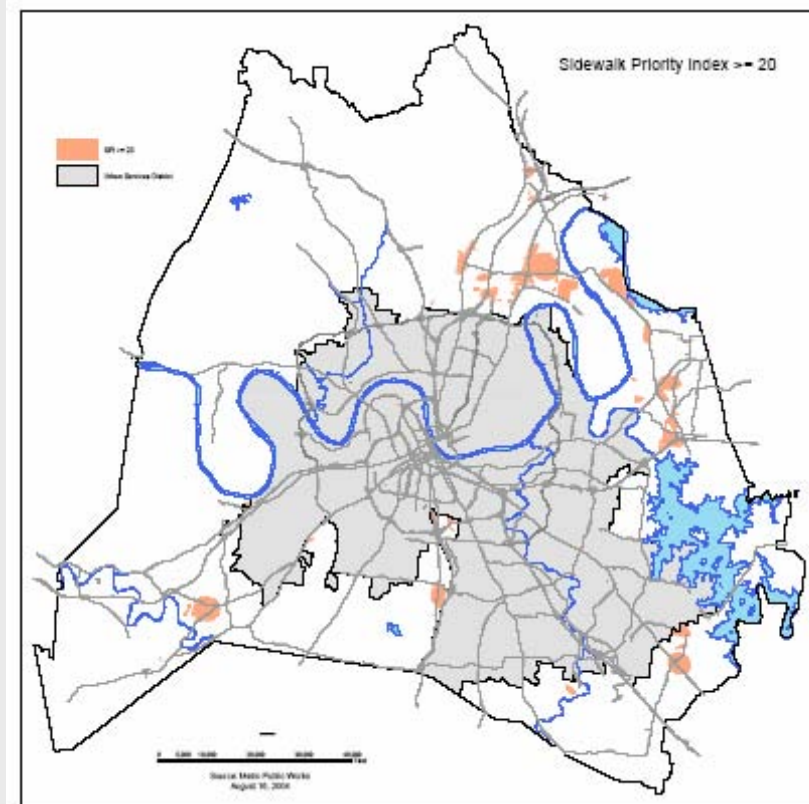
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### RECOMMENDATION

Staff recommends approval of the attached Subdivision Regulation Amendment.



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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.



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- 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



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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.

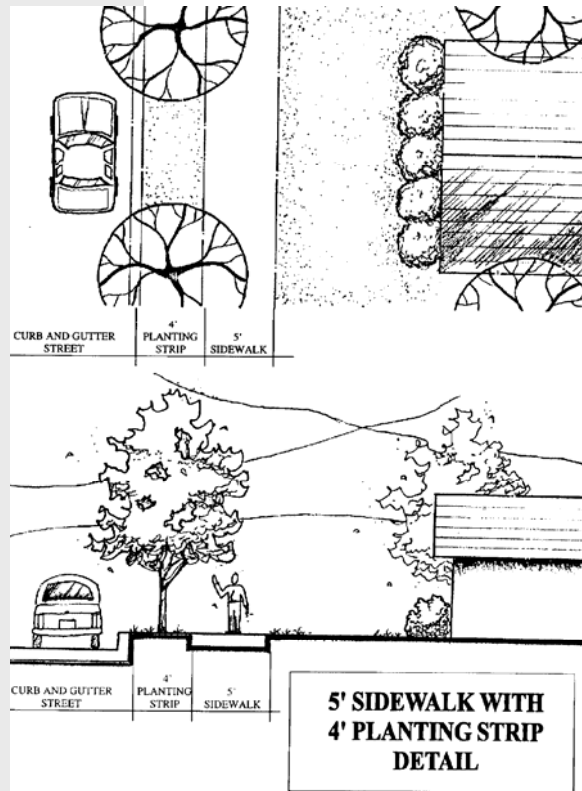


Figure 2-6.1.D.1: Dimensions





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### 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.

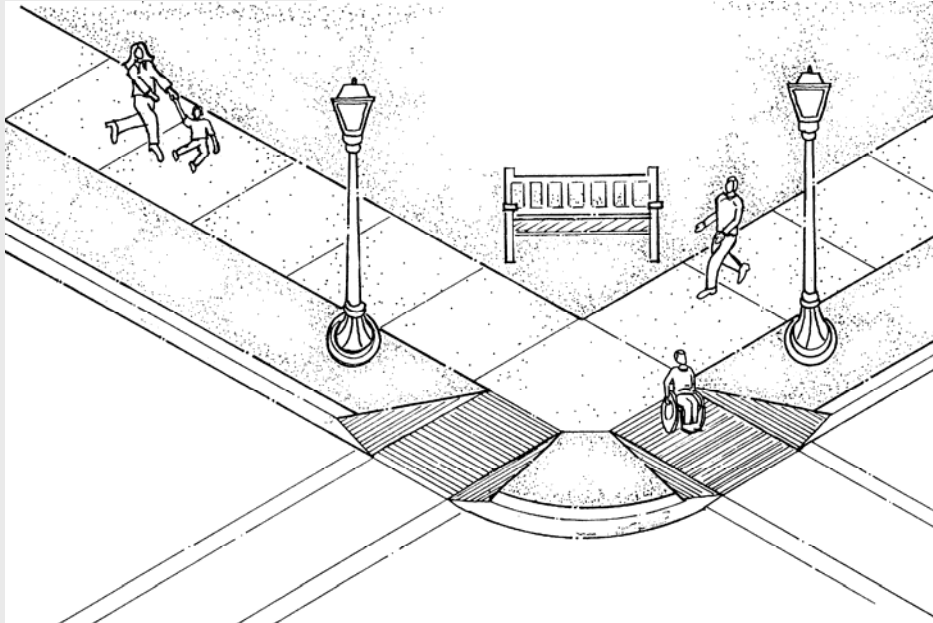


Figure 2-6.1.D.2: Encroachments/Obstructions

### 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.



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### **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)

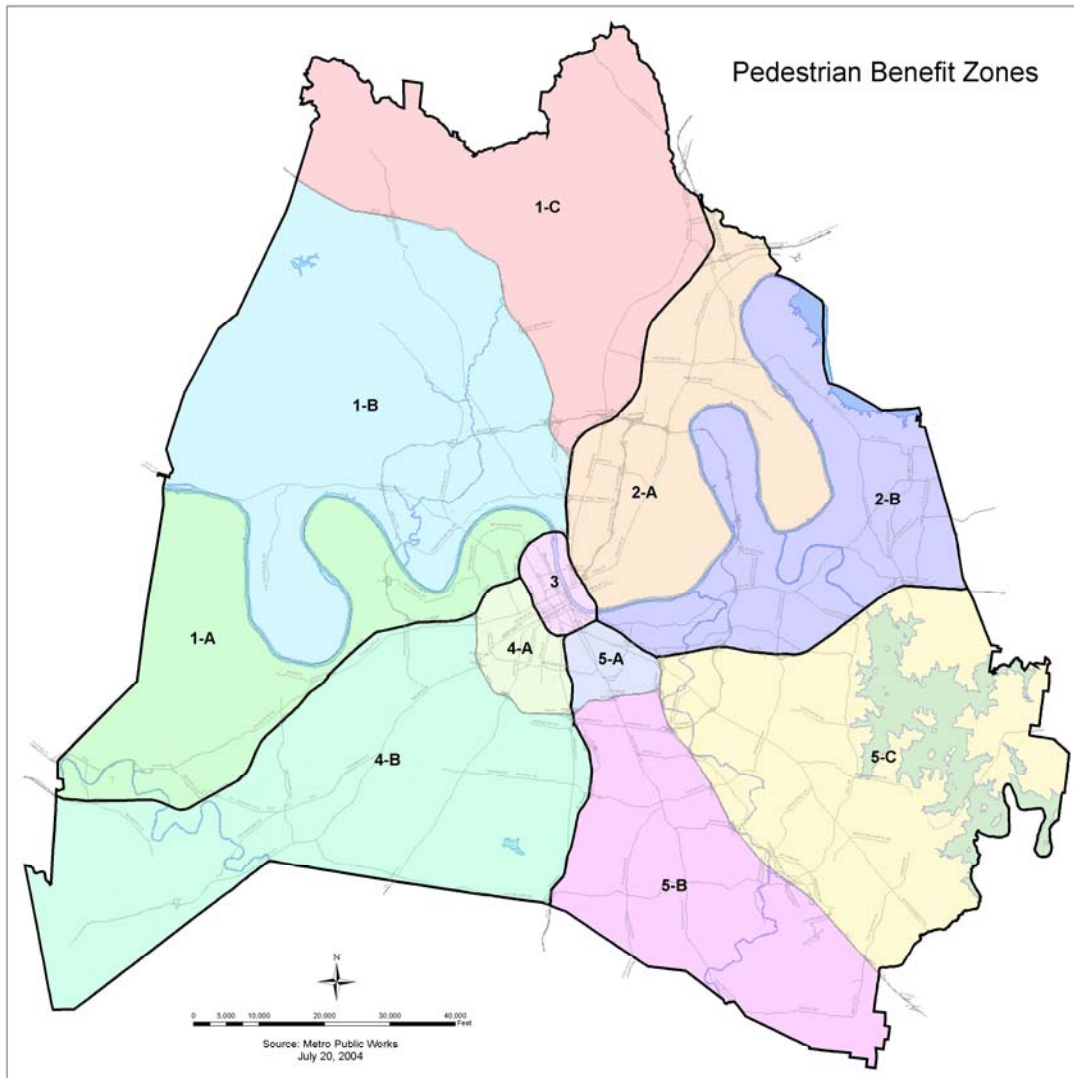


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Zone 5-A: Bounded by I-440 on the south; I-24 on the northeast and east; I-40 on the north/northwest; and I-65 on the west. (South, inner)

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)





**Project No.**

**Request to adopt the Donelson-Hermitage-Old Hickory Community Plan: 2004 Update**

**Associated Case**

None

**Council Bill**

None

**Staff Reviewer**

Wallace, McCaig

**Staff Recommendation**

*Approve*

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**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



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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.



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

**Zone Change 2004Z-109G-12**  
None  
None  
31 – Toler  
2 – Blue  
Mark Traylor, Boyle Nashville LLC, applicant for Michael Ray Boyle, et ux, owner.  
Deferred from the September 23, 2004, meeting

**Deferral**

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Disapprove, no Traffic Impact Study submitted. A site plan was submitted, but is not consistent with the policy.*

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**APPLICANT REQUEST**

**Rezone 6.6 acres from agricultural/residential (AR2a) to mixed use limited (MUL) district at 7022 Nolensville Pike, along the south side of Burkitt Road.**

**Existing Zoning**  
AR2a district

Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district allows approximately 3 dwelling units currently.

**Proposed Zoning**  
MUL district

Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses. The MUL district would allow approximately 287 dwelling units.

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**SOUTHEAST COMMUNITY PLAN POLICY**

Neighborhood Center (NC)

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



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### Policy Conflict

The proposed MUL zoning district and submitted site plan is not consistent with the NC policy. The LUPA document states that a site plan is to be submitted for development proposals other than single family detached and civic uses in the NC policy area to ensure that the design principles of the policy. A site plan was submitted proposing a 15,000 square foot retail center with three out parcels along Nolensville Pike, which does not conform to the intent of the policy. MUL district may be appropriate in this area, however, a revised site plan is needed for review. Because a subdivision plat may not be required for development of this property, the Commission may want to consider requiring a PUD or UDO as a condition of rezoning, rather than a simple site plan.

### RECENT REZONINGS

None.

### TRAFFIC

A TIS is required prior to rezoning. A TIS has not been submitted.

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

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	6.60	0.5	3	29	3	4

#### Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.60	0.102	29,325	3060	75	279

#### 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
--				3031	72	275

#### Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	6.60	0.5	3	29	3	4

#### Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.60	0.6	172,498	9682	218	898



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

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				9653	215	894

### METRO SCHOOL BOARD REPORT

#### Projected student generation\*

20 Elementary 14 Middle 11 High

#### Schools Over/Under Capacity

Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. All three schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster and a high school at an adjacent cluster (McGavock, Maplewood, Whites Creek, and Stratford). There are no middle schools with capacity in the Antioch cluster. This information is based upon data from the school board last updated January 16, 2004.

#### Fiscal Liability

The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$182,000 for additional school capacity in this cluster. A new middle school is presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

#### Planned School Capital Improvements

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





**Project No.**  
**Project Name**  
**Associated Cases**  
**Council District**  
**School District**  
**Requested By**

**Subdivision Proposal No. 2004S-204U-05**  
**Maple Manor, Preliminary Plat**

None  
2 - Isabel  
5 - Hunt  
George W. Hussey, owner and Bruce Rainey & Associates, engineer.

**Deferral**

Deferred from September 23, 2004, to allow Planning Staff and Metro Legal to research the access to Pine Ridge Drive.

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*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.**



## Metro Planning Commission Meeting of 10/14/04

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### 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.

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### 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.

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### 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.

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### CONDITIONS

1. The developer must ensure that there are two street connections into this proposed development.



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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.



**Project No.**  
**Project Name**

**Planned Unit Development 2004P-001U-10**  
**Hair of the Dog Restaurant**  
**(Beer License Distance Exemption PUD)**

**Council Bill**  
**Council District**  
**Associated Case**  
**Requested By**

None  
18 - Hausser  
None  
Dale and Associates, engineer and Tracy Crawford, for James Christian, owner.

**Deferral**

Deferred from September 23, 2004

**Staff Reviewer**  
**Staff Recommendation**

Kleinfelter  
*Approve with conditions, or disapprove*

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**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 12<sup>th</sup> Avenue South, at the northwest corner of 12<sup>th</sup> 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.

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**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.

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**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



## Metro Planning Commission Meeting of 10/14/04

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 12<sup>th</sup> 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 12<sup>th</sup> 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.

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### METRO PUBLIC WORKS' FINDINGS

No Exceptions Taken

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### 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.



**Project No.**  
**Project Name**

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

**Council Bill**  
**Council District**  
**Requested by**

None  
21 – Whitmore  
Hella Temple, property owners.

Staff Reviewer  
Staff Recommendation

Kleinfelter  
*Disapprove*

**APPLICANT REQUEST**

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

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

**DEPARTMENT AND AGENCY COMMENTS**

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

**RECOMMENDATION**

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

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



## Metro Planning Commission Meeting of 10/14/04

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

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



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

**Zone Change 2004Z-129U-05**  
None  
None  
5 – Murray  
5 – Hunt  
Joseph R. Hernandez, Keystone Automotive Industries, applicant for M. H. Webb, owner.

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Disapprove*

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**APPLICANT REQUEST**

**Rezone 0.39 acres from commercial service (CS) to industrial warehousing distribution (IWD) district at 926 Dickerson Pike, south of Whites Creek Pike.**

**Existing Zoning**  
CS district

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

**Proposed Zoning**  
IWD district

Industrial Warehousing/Distribution is intended for a wide range of warehousing, wholesaling, and bulk distribution uses.

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**SUBAREA 5 PLAN POLICY**

Industrial and Distribution (IND)

IND policy is intended for existing and future areas of industrial and distribution development. Most types of industrial and distribution uses are found in this policy category including: storage, business centers, wholesale centers, and manufacturing. Certain support uses such as sales, service, and office facilities will also be present in IND areas.

**Policy Conflict**

Although the proposed IWD district is consistent with the Subarea 5 Plan’s IND policy, it not consistent with the surrounding zoning pattern on Dickerson Road. The zoning pattern along the west side of Dickerson Road is CS and the east side is CL, while IWD district is concentrated along Interstate 24/65 behind these properties. Dickerson Pike is currently a commercial corridor and the pattern of industrial zoning has not been introduced. The subarea plan is outdated and is to be updated later this year or early next year.





## Metro Planning Commission Meeting of 10/14/04

This property is currently used for storage of automobile parts for restoration, which is not in compliance with the existing zoning district. A zoning violation has been cited by the Metro Codes Department on this property for the incompliance with the zoning regulations.

### RECENT REZONINGS

None.

### TRAFFIC

No exception taken.

#### Typical Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814 )	0.39	0.066	1,121	86	NA	25

#### Typical Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150 )	0.39	0.046	781	354	3	2

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				268	NA	-23

-

#### Maximum Uses in Existing Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market (851 )	0.39	0.6	10,193	7523	684	535

#### Maximum Uses in Proposed Zoning District: IWD

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Warehousing (150 )	0.39	0.80	13,591	401	21	14

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

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				-7122	-663	-521



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

**Zone Change 2004Z-130U-10**  
None  
None  
25 – Shulman  
8 – Harkey  
Councilmember Jim Shulman, applicant, for various owners

**Staff Reviewer**  
**Staff Recommendation**

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

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**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.

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**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.



## Metro Planning Commission Meeting of 10/14/04

### 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.”

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### RECENT REZONINGS

None

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### TRAFFIC

No Exception Taken.

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### METRO SCHOOL BOARD REPORT

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



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

**Zone Change 2004Z-131U-05**  
None  
None  
6 – Jameson  
5 – Hunt  
Metro Historical Commission, applicant for various owners

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**APPLICANT REQUEST**

**To apply the Neighborhood Conservation Overlay District to various properties along Lillian Street, Boscobel Street, Shelby Avenue, and South 19<sup>th</sup> 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.

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**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.



# Metro Planning Commission Meeting of 10/14/04

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

## METRO SCHOOL BOARD REPORT

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



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

**Zone Change 2004Z-132G-12**  
None  
None  
31 – Toler  
2 – Blue  
Dean Baxter and Mark Sarmadi, applicants, Mary H. Rucker, owner.

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve with conditions*

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**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.

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**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.



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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 (Glenclyff, Hillsboro, and McGavock). This information is based upon data from the school board last updated January 16, 2004.



## Metro Planning Commission Meeting of 10/14/04

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### 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.





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

**APPLICANT REQUEST**

<b>Preliminary Plat</b>	Subdivide 47.12 acres into 146 single-family lots with 18.7 acres of open space, located approximately 900 feet north of Logistics Way.
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**ZONING  
RS10 District**

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

The maximum density for this project is 3.7 dwelling units per acre (174 lots)- the proposed density is 3.09 (146 lots).

**CLUSTER LOT OPTION**

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

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

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

**SUBDIVISION DETAILS**

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



## Metro Planning Commission Meeting of 10/14/04

### School Site Dedication

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

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

### Southeast Arterial

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

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### PUBLIC WORKS RECOMMENDATION

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

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

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

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

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### CONDITIONS

1. Comply with all Public Works comments.



**Project No.**  
**Project Name**  
**Associated Cases**  
**Council District**  
**School District**  
**Requested By**

**Subdivision 2004S-213G-14**  
**Warren Place Subdivision**  
None  
11- Brown  
4- Nevill  
Jerry C. Harlan and Dunklin Murrey, owners and Burns & Associates, surveyor.

**Staff Reviewer**  
**Staff Recommendation**

Leeman  
*Approve with conditions*

**APPLICANT REQUEST**

**Final Plat**

This request is for final plat approval to subdivide 3.18 acres into 8 single-family lots along the north side of Warren Drive, approximately 260 feet west of Swinging Bridge Road.

**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.



## Metro Planning Commission Meeting of 10/14/04

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### TRAFFIC ENGINEER'S FINDINGS

No exception taken.

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### 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.



**Project Name**  
**Project Number**  
**Associated Cases**  
**Council District**  
**School District**  
**Requested By**

**Magnolia Hills, First Revision, Final Plat**  
**2004S-286G-06 (PUD 90P-008G)**  
None  
35 - Tygard  
9 - Warden  
J & J Development and various homeowners, applicants and Wamble & Associates, engineer.

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Disapprove. Staff recommends that the developer construct the sidewalk within the subdivision or pay a full in-lieu fee.*

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**APPLICANT REQUEST**  
**Final Plat**

A request to remove the sidewalk on 26 lots abutting either side of Magnolia Hills Drive at Old Harding Pike.

This PUD was preliminarily approved under the name Gann Brae on August 15, 1990, and sidewalks were shown on both sides of the new street on the approved plan. On June 4, 1993, a Final PUD was approved with sidewalks shown on both sides of the new street. On October 24, 1994, a final subdivision plat was recorded with sidewalks shown on both sides of the new street. Sidewalks were not required along the frontage of Old Harding Pike.

**ZONING**  
**RS20 District\***

Requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.  
\*The subject property was developed under the old PUD standards and has a density of 2.95 dwelling units per acre, which would require a zoning classification of RS10.

---

**VARIANCE DETAILS**

The applicant is requesting to be relieved of the requirement to build sidewalks within the subdivision. The applicants' stated reasons are as follows:

1. The homes and driveways are built.
2. The construction of sidewalks will create lawn and driveway disturbances for homeowners.
3. Many driveways will have to be rebuilt to undesirable slopes that would compromise the accessibility of garages.



## Metro Planning Commission Meeting of 10/14/04

Staff has determined that any hardships that exist with respect to this request are self-created and could have been avoided if the sidewalk had been graded in with the road. The request does not meet the hardship criteria for a variance from the regulations. If in-lieu fee provisions are adopted by the Commission prior to consideration of this item, and this area qualifies under those new regulations, then the Commission may want to consider allowing the applicant to pay such a fee.



<b>Project No.</b>	<b>Subdivision 2004S-290U-10</b>
<b>Project Name</b>	<b>Kenner-Manor Subdivision</b>
<b>Associated Cases</b>	None
<b>Council District</b>	24 – Summers
<b>School Board District</b>	8 - Harkey
<b>Requested By</b>	Jim L. Butler and O.H. Mason, owners, John Hood, surveyors.
<b>Staff Reviewer</b>	Harris
<b>Staff Recommendation</b>	<i>Approve with conditions, including approval of a sidewalk variance.</i>

**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.



**Project No.**  
**Project Name**

**Subdivision 2004S-302U-05**  
**Kenmore Place, Resubdivision of Lots 62 and 63**

**Associated Cases**  
**Staff Reviewer**  
**Council District**  
**School District**  
**Requested By**

None  
Fuller  
7 - Cole  
5 - Hunt  
Carter E. Boling, owner and Thornton & Associates, surveyor.

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve with conditions*

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**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.

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**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

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**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.

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### **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.

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### **PUBLIC WORKS RECOMMENDATION**

No exceptions taken.

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### **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.



**Project No.**

**Planned Unit Development 97P-011G-06 and 2004P-002G-06**

**Project Name**

**Westchase and Addition to Westchase PUDs**

**Council Bill**

None.

**Council District**

22 – Crafton

**School Board District**

9 – Christina Norris

**Requested By**

Anderson – Delk & Associates, Inc., applicant, for Tennessee Contractors Inc., owner

**Staff Reviewer**

Leeman

**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.



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### 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.

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### 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.



<b>Project No.</b>	<b>Planned Unit Development 98-73-G-02</b>
<b>Project Name</b>	<b>Hickory Hills Commercial PUD</b>
<b>Associated Case</b>	None
<b>Council Bill</b>	None
<b>Council District</b>	3 – Hughes
<b>School Board District</b>	3 – Garrett
<b>Requested By</b>	PBS&J for Verizon Wireless Tennessee Partnership, owner.
<b>Staff Reviewer</b>	Leeman
<b>Staff Recommendation</b>	<i>Approve with conditions</i>

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**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.

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**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.

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**TRAFFIC ENGINEER’S FINDINGS**

No Exceptions Taken

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**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.



**Project No.**  
**Project Name**  
**Associated Case**  
**Council Bill**

**Planned Unit Development 2004P-009G-14**  
**Bridgewater PUD**

2004Z-0046G-14  
BL2004-279 (This is a re-referral from the Metro Council with a revised plan.)

**Council District**  
**School Board District**  
**Requested By**

12 - Gotto  
4 - Nevill  
Lose & Associates, Inc., applicant, for Frank Batson Homes, applicant and optionee, for F.E. Smith, Jr., owner.

**Staff Reviewer**  
**Staff Recommendation**

Leeman  
*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.

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**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



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*Access & Connectivity:*

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.

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.

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**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):



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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.

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### 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



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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.





**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-073G-03**  
**Bull Run Easement Acquisition**  
None  
1 – Gilmore  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve*

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**APPLICANT REQUEST**

**A request for easement acquisition for Stormwater drainage construction at 4637 and 4641 Bull Run Road, Metro Water Services Project No. 02-D-213, requested by Metro Water and Sewerage Services.**

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**APPLICATION REQUIREMENTS**

None

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**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.**



<b>Project No.</b>	<b>Mandatory Referral 2004M-074G-14</b>
<b>Project Name</b>	<b>Ruck, Donelson Pike Easement Acquisition</b>
<b>Council Bill</b>	None
<b>Council District</b>	15 – Loring
<b>Requested by</b>	Metro Water and Sewerage Services
<b>Staff Reviewer</b>	Fuller
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

**A request for easement acquisition for Stormwater drainage construction at Map 108-00, Parcel 162, Metro Water Services Project No. 04-D-687, requested by Metro Water and Sewerage Services.**

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**APPLICATION REQUIREMENTS**

None

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**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.**



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-075U-05**  
**Hillside Road Easement Acquisition**  
None  
2 – Isabel  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve*

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**APPLICANT REQUEST**

**A request for easement acquisition for Stormwater drainage construction at 3006-A Hillside Road, Metro Water Services Project No. 03-D-0553, requested by Metro Water and Sewerage Services.**

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**APPLICATION REQUIREMENTS**

None

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**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.**



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-076U-10**  
**Woodmont Boulevard Easement Acquisition**  
None  
24 – Summers  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.**



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-077G-02**  
**Dickerson Pike Easement Acquisition**  
None  
3 – Hughes  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.**



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-078U-05**  
**Boscobel Street Easement Acquisition**  
None  
6 – Jameson  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.**



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-079U-07**  
**Robertson Avenue Easement Acquisition**  
None  
20 – Wallace  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Fuller  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.**



<b>Project No.</b>	<b>Mandatory Referral 2004M-090U-12</b>
<b>Project Name</b>	<b>Head Start Center Property Acquisition</b>
<b>Council Bill</b>	None
<b>Council District</b>	27 – Foster
<b>Requested by</b>	Real Property Services
<b>Staff Reviewer</b>	Harris
<b>Staff Recommendation</b>	<i>Approve</i>

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.





**Project No.**  
**Project Name**

**Mandatory Referral 2004M-095G-02**  
**The Old Center School Easement**  
**Acquisition**

**Council Bill**  
**Council District**  
**Requested by**

None  
10 – Ryman  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.



**Project No.  
Project Name**

**Mandatory Referral 2004M-096U-12  
IPF/Windlands Limited Partnership  
Easement Acquisition**

**Council Bill  
Council District  
Requested by**

None  
26 – Adkins  
Metro Water and Sewerage Services

**Staff Reviewer  
Staff Recommendation**

Harris  
*Approve*

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**APPLICANT REQUEST**

**A request for an easement acquisition at 3758  
Nolensville Pike, for a permanent drainage  
easement, requested by Metro Water and Sewerage  
Services, Project No. 04-DL-0718.**

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**APPLICATION REQUIREMENTS**

None

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**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.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-097U-14**  
**Lyncrest Dr. Easement Acquisition**  
None  
14 – White  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**APPLICANT REQUEST**

**A request for an easement acquisition at 2879 Lyncrest Drive, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 03-D-0377.**

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**APPLICATION REQUIREMENTS**

None

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**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.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-098U-10**  
**William H. Duncan Easement Acquisition**  
None  
25 – Shulman  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.



<b>Project No.</b>	<b>Mandatory Referral 2004M-099U-07</b>
<b>Project Name</b>	<b>Steven T. Delaney Easement Acquisition</b>
<b>Council Bill</b>	None
<b>Council District</b>	24 – Summers
<b>Requested by</b>	Metro Water and Sewerage Services
<b>Staff Reviewer</b>	Harris
<b>Staff Recommendation</b>	<i>Approve</i>

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**

**Mandatory Referral 2004M-100U-05**  
**Cowan Street Riverbank Protection Project**

None  
2 – Isabel  
5 - Murray

**Requested by**

Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.



<b>Project No.</b>	<b>Mandatory Referral 2004M-101U-13</b>
<b>Project Name</b>	<b>Dowdy Ct. Easement Acquisition</b>
<b>Council Bill</b>	None
<b>Council District</b>	28 – Alexander
<b>Requested by</b>	Metro Water and Sewerage Services
<b>Staff Reviewer</b>	Harris
<b>Staff Recommendation</b>	<i>Approve</i>

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.



**Project No.**  
**Project Name**  
**Council Bill**  
**Council District**  
**Requested by**

**Mandatory Referral 2004M-102U-12**  
**Revelette Easement Acquisition**

None  
31 – Toler  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.





**Project No.**  
**Project Name**

**Mandatory Referral 2004M-103U-05**  
**Cumberland Meadows Easement**  
**Abandonment and Relocation**

**Council Bill**  
**Council District**  
**Requested by**

None  
7 – Cole  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**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.**

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**APPLICATION REQUIREMENTS**

None

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**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.



**Project No.**  
**Project Name**

**Mandatory Referral 2004M-104U-14**  
**Heartland Christian Tower Easement**  
**Acquisition**

**Council Bill**  
**Council District**  
**Requested by**

None  
15 – Loring  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**APPLICANT REQUEST**

**A request for an easement abandonment and relocation south of Fernbrook Lane, requested by Metro Water and Sewerage Services, Project No. 04-SL-116.**

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**APPLICATION REQUIREMENTS**

None

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**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.



**Project No.**  
**Project Name**

**Mandatory Referral 2004M-105U-13**  
**Genesco Warehouse Facility Lease Agreement**

**Council Bill**  
**Council District**  
**Requested by**

None  
13 – Burch  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**APPLICANT REQUEST**

**A request to enter into a lease agreement with the Metropolitan Nashville Airport Authority at 1415 Murfreesboro Road, requested by Real Property Services.**

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**APPLICATION REQUIREMENTS**

None

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**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).

Metro Water Services has recommended conditional approval: Easement rights must be retained for an 10” sewer line, and 4” water line.

Planning staff also supports the request.



**Project No.**  
**Project Name**

**Mandatory Referral 2004M-106U-08**  
**Simpkins Street Sidewalk Improvements**  
**Project**

**Council Bill**  
**Council District**  
**Requested by**

None  
2 – Isabel  
Metro Water and Sewerage Services

**Staff Reviewer**  
**Staff Recommendation**

Harris  
*Approve*

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**APPLICANT REQUEST**

**A request for property acquisition at 1700-1728  
Simpkins Street and 2116 and 2120 24th Avenue  
North for the Simpkins Street Sidewalk  
Improvements Project for curb and gutter, grass  
strip, sidewalk and associated improvements,  
requested by Real Property Services.**

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**APPLICATION REQUIREMENTS**

None

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**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.