



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-051G-06
None
BL2003-28
Leeman

Staff Recommendation

Disapprove

APPLICANT REQUEST

Rezone 0.51 acres from commercial-limited (CL) to commercial services (CS) at Highway 100 (unnumbered), east of the Natchez Trace Parkway.

Existing Zoning
CL district

Commercial Limited (CL) is intended for retail, consumer service, financial, restaurant, and office uses.

Proposed Zoning
CS district

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

BELLEVUE 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.

Policy Conflict

Yes. The proposed CS district is not consistent with the intent of the Bellevue Community Plan's NC policy calling for neighborhood scaled commercial uses. The CS district is more intense than what is called for at this interchange. CS zoning allows for more intense commercial uses than what the plan calls for, and it does not permit residential uses, which would help to implement the Subarea Plan. Although the property is currently zoned CL district, the MUN district is the most appropriate district to implement this policy.

Deferral

This item was deferred at the September 25, 2003, Planning Commission meeting in order to allow staff to research whether the applicant's proposed use (building contractor supply) would be permitted under the CS district. The Zoning Administrator has indicated that



Metro Planning Commission Meeting of 10/23/03

the Building Contractor Supply use would be allowed as a PC use in the CS district. No outdoor storage of vehicles or equipment, however, would be permitted.

RECENT REZONINGS

No. However, this property was rezoned from CS to CL with the overall zoning update on January 1, 1998. The councilmember at the time supported this change.

TRAFFIC

Based on typical uses in the CS zoning, approximately 561 trips per day could be generated. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Findings

No exception taken.



Project No.
Council Bill
Associated Case
Staff Reviewer

Zone Change 2003Z-112G-06
BL2003-29
PUD 97P-019G-06
Leeman

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 10.42 acres from residential (RS40) to commercial limited (CL) at 8121, 8141, and 8175 Highway 100, and Highway 100 (unnumbered), south of Harding Pike.

Existing Zoning
RS40/Commercial PUD

Residential Single-Family (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of 0.93 dwelling units per acre. The Planning Commission and Council approved the existing Commercial PUD in 1997.

Proposed Zoning
CL district

Commercial Limited (CL) is intended for retail, consumer service, financial, restaurant, and office uses.

BELLEVUE COMMUNITY PLAN POLICY
Community Center (CC)

CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods.

Policy Conflict

No. The proposed CL district is consistent with the intent of the Bellevue Community Plan’s CC policy calling for commercial uses at the edge of a neighborhood. The Planning Commission adopted the CC policy on August 14, 2003 as part of a year-long Subarea Plan update. Although the zoning is appropriate for this area, the PUD amendment to change from a bank use to fuel pumps is inappropriate since the original PUD concept limited the uses to bank, restaurant, and retail uses.

RECENT REZONINGS

Yes. The adjacent property (parcel 123) was rezoned to CL earlier this year. The Commission recommended



Metro Planning Commission Meeting of 10/23/03

approval of the rezoning finding it consistent with the surrounding uses and the proposed Subarea Plan amendment.

TRAFFIC

Based on the existing and proposed uses within the PUD, the following number of trips per day could be generated:

	<u>AM Peak</u>	<u>PM Peak</u>
Grocery Store	179 trips	633 trips
Retail	19 trips	70 trips
Bank	109 trips	214 trips
Fuel Station	49 trips	58 trips

(Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Findings

No exception taken.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 97P-019G-06
Trace Creek Center (Fuel Pump Station)
BL2003-30
2003Z-112G-06
Leeman

Staff Recommendation

Disapprove

APPLICANT REQUEST
Amend Preliminary PUD

This request is to amend the preliminary plan to allow an automobile fuel pumping station with four pumps and a kiosk on an outparcel of the existing Kroger store, replacing an unbuilt bank.

Existing Zoning
RS40/Commercial PUD

The property is currently zoned for a Commercial PUD with a 55,000 square foot grocery store, 18,700 square feet of retail and restaurant uses, and a 5,100 square foot bank.

PLAN DETAILS

The fuel pumps are proposed to replace the unbuilt bank on the outparcel. This property is located along Highway 100, which is designated as a Scenic Arterial (S4) on the Major Street Plan. The proposed plan includes the required 10-foot scenic landscape buffer, as required by the Zoning Code, and right-of-way reservation for the future alterations of Highway 100.

Staff recommends disapproval of the PUD amendment since the proposed fuel pumps are inconsistent with the intent of the original PUD plan, and are inconsistent with the development pattern being established by the new Community Center policy. The original PUD plan was approved as a neighborhood scale commercial center with retail, restaurant, and bank uses. The bank is more consistent with the character of this Community Center node than the proposed pumps. There is already one existing gas station at this node, while the buildings approved as part of the Walgreen's PUD across the street will help to define this node as a town center.

TRAFFIC

Based on the existing and proposed uses within the PUD, the following number of trips per day could be generated:

	<u>AM Peak</u>	<u>PM Peak</u>
Grocery Store	179 trips	633 trips



Metro Planning Commission Meeting of 10/23/03

Retail	19 trips	70 trips
Bank	109 trips	214 trips
Fuel Station	49 trips	58 trips

(Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Findings

No exception taken.

CONDITIONS (If the Commission recommends approval)

The Metropolitan Codes Department is also requiring several conditions since a gas station at a retail facility is a relatively new concept in Nashville. This approval will be conditioned as follows, subject to a corrected plan to be received prior to the Planning Commission meeting:

1. Required restroom facilities for the retail store and gas station shall be located (or relocated) inside the main entrance of the retail store prior to the issuance of any building permit for the gas station.
2. The travel distance from the restroom facilities to the gas station kiosk shall not exceed 500 feet. "Travel distance" shall be measured along a pedestrian path of travel from the most remote point inside the kiosk to the doors of the restroom facility.
3. The kiosk shall not exceed 100 square feet.
4. The employee working in the gas station shall be connected via intercom, or other acceptable means of communication, to the retail store.
5. The gas station shall be on the same or contiguous parcel of land as the main retail store.
6. The employee operating the gas station shall be an employee of the retail store.
7. Hours of operation of the gas station shall be the same or less than the hours of operation of the retail store.
8. No customers shall be permitted in the kiosk.



Metro Planning Commission Meeting of 10/23/03

9. The gas station and retail store shall remain under common ownership, management, or control. The gas station may not be operated independently of the retail store.
10. A fire hydrant is required to be within 500 feet of all portions of the fuel station.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-123U-03
None
None
Harris

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 0.53 acres from commercial neighborhood (CN) to mixed-use neighborhood (MUN) district property at 3401 John Mallette Drive, along the north margin of Manchester Avenue.

Existing Zoning
CN district

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

Proposed Zoning
MUN district

Mixed Use Neighborhood is intended for a low intensity mixture of residential, retail, and office uses.

SUBAREA 3 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.

The Planning Commission adopted the updated Bordeaux-Whites Creek Community Plan (Subarea 3) on September 25, 2003. This RLM policy did not change from the old plan to the new plan.

Policy Conflict

Yes. Although the proposed zoning district (MUN) is not entirely consistent with the policy, it allows for residential uses and moves the zoning closer to conformance with the RLM policy. Prior to 1998, the property was zoned commercial service limited (CSL). With the 1998 overall zoning update for the county, this property was rezoned to CN, which is roughly equivalent to the CSL zoning district. The proposed zoning district would be more consistent with the policy than the existing zoning district, although it still does not support the Residential Low Medium policy.



Metro Planning Commission Meeting of 10/23/03

RECENT REZONINGS

No

TRAFFIC

Based on the trip generation numbers for mixed use neighborhood (MUN), this proposal will generate approximately 22 to 153 daily trips ranging from residential and office uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works' RecommendationsCurrent zoning

CN, Peak Adj. Street Traffic (Code 495, Recreational Center)

AM trips = 8 PM trips = 10

Proposed zoning

MUN, Peak Adj. Street Traffic (Code 565, Day Care)

AM trips = 69 PM trips = 72

Note: Either zone would qualify for a convenience market, which would produce:

AM trips = 415 PM trips = 478

We do not currently know what will be built at this location. The number of trips generated by this project could be significant depending on what is built at this location. Therefore, a TIS may be required once plans are submitted.

With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.

SCHOOLS

3 Elementary 3 Middle 2 High

Schools Over/Under Capacity

Students would attend Bordeaux Elementary, Ewing Park Middle School and Whites Creek High School. Bordeaux and Ewing Park have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 5, 2003.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-222U-10
Sunnybrook Ln., formerly Sunny Court Sub.
None
Harris

Staff Recommendation

Disapprove.

APPLICANT REQUEST

Preliminary Plat

Subdivide 2.14 acres into a 4-lot subdivision, located abutting the east terminus of Iroquois Drive, approximately 300 feet north of Trimble Road.

ZONING
RS20 District

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

PLAT DESIGN

Four lots are proposed to replace the existing two lots on Sunnybrook Drive. These four lots are situated around a new cul-de-sac proposed to be named Sunnybrook Lane.

**Stormwater Variance/
Open Space**

A water quality biofilter swale is required in open space at the edge of lots 3 and 4. All water quality devices must be outside of lot lines and in an open space unless granted a variance by the Board of Stormwater Appeals. An easement is also required to allow access to the open space. A homeowner's association is also required in order to maintain the public open space.

The applicant has requested a variance from the Stormwater Appeals Board for the open space requirement. This appeal was heard on September 18, 2003, meeting and the variance was granted. Each lot will be flagged as a critical lot, if approved.

Sidewalks

Sidewalks are not required pursuant to the subdivision regulations because the lots are 20,000 square feet with no cluster lot option being considered.

Subarea 10 Policy

The proposed plan is inconsistent with the subarea plan. The Subarea 10 plan calls for potential sites for resubdivision to be consistent with what exists in the surrounding area.



Metro Planning Commission Meeting of 10/23/03

“The intent of this plan is to ensure that future development of infill sites conform with the existing character of surrounding areas. It is important to recognize that the potential for resubdivision does exist in parts of these areas, since the policy allows up to two dwelling units per acre. Much of the area is developed far below that threshold. However, the plan recommends that the prevailing character and densities of these areas be conserved. Any resubdivisions should result in densities close to what exists in the surrounding area.”

Staff recommends disapproval. Subdivision Regulation 2-1.1 states: “ In addition to the requirements established herein, divisions of land shall comply with all applicable laws, ordinances resolutions, rules or regulations, including, but not limited to the following:....C. The adapted General Plan and Major Street Plan.” This subdivision does not comply with the General Plan’s policy for this area. The density and the character of this development are not consistent with the surrounding character and density.

Public Works’ Recommendation

No exception taken.



Project No.
Project Name
Council Bill
Staff Reviewer

Mandatory Referral 2003M-093U-12
Close Portion of Trousdale Drive
None
Scott

Staff Recommendation

Disapprove

APPLICANT REQUEST

A request to close the unimproved northern portion of Trousdale Drive, located on the north margin of Hill Road, requested by Lyman H. Hines, property owner.

APPLICATION REQUIREMENTS

Application properly completed and signed?

Yes

Abutting property owners sign application?

Yes

DEPARTMENT AND AGENCY COMMENTS

Planning

This section of Trousdale Drive is designated as a collector road on the Major Street Plan. The unimproved right-of-way for Trousdale Drive runs from Hill Road to Broadwell Drive. This section includes steep topography, up to 19%, and crosses a stream. However, this is an area that needs more street connections. A completed collector system would reduce cut-through traffic. This right-of-way should be retained so Metro or a developer will be able to complete this right-of-way in the future. The Planning Department supports retaining this right-of-way for future development.

Public Works

Public Works has previously stated this connection is needed in connection with a development proposal for parcel 48, which abuts the north boundary of Trousdale right-of-way.

In addition, Trousdale Drive is a designated collector roadway and should be completed. The lack of a completed collector system forces motorists to use local residential roadways.



Metro Planning Commission Meeting of 10/23/03

CONDITIONS

If the Commission recommends approval of this road closure and renaming, then the following condition from the Nashville Electric Service should be included:

1. NES must retain 20' easement behind right-of-way.



Project No.
Project Name
Council Bill
Staff Reviewer

Mandatory Referral 2003M-109U-03
Close Portion of Unnumbered Alley
None
Scott

Staff Recommendation

Disapprove

APPLICANT REQUEST

A request to abandon right-of-way for an unbuilt and unnumbered alley, located between North Avondale Circle and Alley #1059, for the purposes of closing off the alley from illegal dumping and other illicit uses, requested by the adjacent property owners, Gene and Teresa George.

APPLICATION REQUIREMENTS

Application properly completed and signed?

Yes

Abutting property owners' sign application?

Yes

DEPARTMENT AND AGENCY COMMENTS

The right-of-way for the unnumbered alley runs between North Avondale Circle and Avondale Circle. This request would close the right-of-way between North Avondale Circle and alley #1059. Closing a portion of the unnumbered alley would effectively close the whole unnumbered alley since alley #1059 is unimproved.

Public Works recommends approval of this request.

Planning staff recommends disapproval of this request since this alley provides alternative access points and is needed to provide connectivity for emergency vehicles and residents.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-013T
None
BL2003-25
Leeman

Staff Recommendation

Disapprove

APPLICANT REQUEST

This council bill is to change the text of the Zoning Ordinance for Section 17.24.030 (E) by exempting the tree density requirements from loading areas or tractor-trailer staging, loading and parking areas. The Metro Urban Forester has indicated that this request came about due to several warehouse/distribution facilities having been unable to meet the current tree density standards. They were also unwilling to pay into the Metro Tree Fund.

The Zoning Ordinance currently allows for an exemption to the interior landscaping requirements in loading and staging areas, but it does not allow for an exemption to the overall tree density requirements. The ordinance requires that at least 8% of the gross parking area shall be landscaped and that interior planting areas are located within or adjacent to the parking area as tree islands, at the end of parking bays, or inside measuring 7' wide or greater. All multi-family, commercial, and industrial sites are subject to a tree density requirement of at least 14 units per acre, where units are defined by the quantity, type and size of trees planted. The Zoning Code allows for the clustering of landscaping to meet this requirement.

This proposed text change would exempt loading and staging area from the overall tree density requirements, as well as the interior-planting requirement. Staff recommends disapproval since it is important for these commercial and industrial developments to comply with the standards for landscaping and buffering. Landscaping serves to reduce the impact on adjacent properties and public thoroughfares through screening and buffering, and increases the amount of non-impervious surfaces, which in turn reduces the amount of stormwater runoff. The ordinance currently is flexible by providing an exception to the interior planting requirements and an in-lieu payment to



Metro Planning Commission Meeting of 10/23/03

Metro's Tree Fund for non-compliance with the tree density provision of planting trees.

The proposed amendment is shown in **bold** and the current text is shown in *italics*.

17.24.030 Exceptions

E. *The interior planting requirements of Section 17.24.160 shall not apply to service loading areas or to tractor trailer staging, loading and parking areas.*

E. **The interior planting requirements of Section 17.24.160 and the tree density requirements of Section 17.24.100 shall not apply to service loading areas; or to tractor trailer staging, loading and parking areas, but the perimeter planting requirements of Section 17.24.150 shall apply to service loading areas; or to tractor trailer staging, loading and parking areas.**

Recent Text Amendments

The Planning Commission disapproved a nearly identical text change proposal on December 6, 2001. That bill was withdrawn at the Metro Council.



Project No.
Associated Case
Council Bill
Staff Reviewer

Zone Change 2003Z-128U-10
2003P-013U-10
None
Mitchell

Staff Recommendation

Approve

APPLICANT REQUEST

Rezone 5.08 acres from residential (R20) to residential multi-family (RM4) district property along the north margin of Hobbs Road (unnumbered), north of the Stammer Place northern terminus.

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.

Proposed Zoning
RM4 district

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

SUBAREA 10 PLAN POLICY
Residential Low-Medium (RLM)

RLM is a policy category designed to accommodate residential development within a density range of about 2 to 4 dwelling units per acre. Development at the upper end of the density range is recommended at locations along and in the vicinity of arterial and collector streets, provided primary access to the collector or arterial is not through a lower density area.

Policy Conflict

No. The proposed zoning is consistent with the RLM policy for the area. There is an associated planned unit development (PUD) that is also being requested for this site. The PUD proposes a 20-unit townhouse (condominium) project that is consistent with the character of residential development near this location on Hobbs Road.

RECENT REZONINGS

The current Baldwin Arbor subdivision, located approximately 500-feet to the west on Hobbs Road was



Metro Planning Commission Meeting of 10/23/03

re-zoned from R20 to RS10 in 1998. The Planning Commission recommended approval of that zoning.

TRAFFIC

Based on the trip generation numbers for RM4, this proposal will generate approximately 119 daily trips. (Institute of Transportation Engineers, 6th Edition, 1996). Different densities could generate more or less traffic.

Public Works' Recommendations

Request zone change from R20 to RM4

Current zoning

R20, Peak Hour Adj. Street Traffic (Code 210)
AM trips = 9 PM trips = 12

Proposed zoning

RM4, Peak Hour Adj. Street Traffic (Code 210)
AM trips = 16 PM trips = 21

“There is no significant rise in the number of trips being made; therefore, there is no exception taken to this zone change.”



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 2003P-013U-10
Village Hall Residential PUD
None
2003Z-128U-10
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST
Preliminary PUD

Request to adopt a preliminary master Planned Unit Development to allow for the development of a 20-unit townhouse development on 5.08 acres. The property is located along the north side of Hobbs Road, across from the northern terminus of Stammer Place.

PLAN DETAILS

The applicant's plan proposes an attached townhouse residential development on 5.08 acres - that lie just west of another multi-family development and south of the Green Hills YMCA. Hobbs Road is designated as a collector street on the adopted Major Street Plan.

The development calls for attached townhomes of 2 units per structure, where each unit will be provided with a rear-loaded garage. Except for the front 6 units fronting Hobbs Road, the remaining units will face open space areas or landscaped passive recreational areas. The vehicular network is provided through a private driveway system that provides access to each garage as well as providing scattered surface parking for residents and guests. The applicant is providing approximately 62% open space within this development.

Pedestrian Connection to YMCA

Staff recommends that a pedestrian connection be provided between this development and the Green Hills YMCA. The pedestrian connection could be gated and allowed to be closed after sunset, or after the closing of the YMCA.



Metro Planning Commission Meeting of 10/23/03

METRO PUBLIC WORKS' RECOMMENDATION

Approve

CONDITIONS

1. A paved, lighted pedestrian connection shall be provided between the proposed development and the Green Hills YMCA to the north.
2. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.
3. This preliminary plan approval for the residential portion of the master plan is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-233G-14
Roehrig Estates
None
Fuller

Staff Recommendation

Approve with conditions; approve the variance for maximum grade on a local road; disapprove the variance request to only place the sidewalk on one side of the road and construct a 4-foot sidewalk and 2-foot grass strip.

APPLICANT REQUEST

Preliminary Plat

Subdivide 6.05 acres into a 7-lot subdivision with .47 acres of open space, including a variance for maximum grade on a local road and a variance to place the sidewalk only on one side of the road. There is also a request to vary the sidewalk construction standards to construct a 4-foot wide sidewalk and 2-foot wide grass strip, where the regulations require a 5-foot wide sidewalk with a 4-foot wide grass strip.

ZONING
R15 District

R15 district allows single-family and duplex lots and requires a minimum lot size of 15,000 square feet. No lots have been designated as duplex on the preliminary plat.

SUBDIVISION DETAILS

Five of the seven proposed lots have frontage on Old Hickory Lake. There is also a 20-foot lake access easement on the edge of lot 1 that will serve all of the lots. The proposed lots range in size from 25,175 square feet to 37,773 square feet.

There is a small amount of floodplain. Because, it is not being manipulated, however, it can be included and counted toward the minimum lot area requirement. The proposed water quality treatment area is located within open space above the floodplain elevation.

The proposed Roehrig Court right-of-way abuts the neighboring parcel to the west, 0440708801, to provide for future subdivision if that owner so chooses.



Metro Planning Commission Meeting of 10/23/03

Maximum Grade Variance Request

The applicant has requested a variance for the maximum grade of a minor local road of 12% as specified in Table 1 of the Subdivision Regulations. They have requested this variance to lessen the environmental impacts associated with land disturbance to meet the 12% grade.

Public Works Recommendation

Public Works will accept up to 14% grade for minor local roads.

Planning Recommendation

Approve the variance since this roadway design will require less grading. This is a cul-de-sac that will carry low travel volumes.

Sidewalk Variance Request

The applicant has requested to provide a 4-foot wide sidewalk and 2-foot wide grass planting strip on one side of the street only. Section 2-6.1.B. of the Subdivision Regulations requires sidewalks be 5-foot wide with a 4-foot wide grass strip on both sides of all new streets. The applicant argues that because the lots are greater than 20,000 square feet, sidewalks should not be required. However, the Subdivision Regulations only exempt the construction of sidewalks on lots that are *zoned* for R20 or larger. The zoning on this property is R15.

Public Works Recommendation

Public Works recommends only 5-foot wide sidewalks, ST-210 standard, with a 4-foot wide grass strip. If the variance is approved, Public Works recommends that the sidewalk be on the western margin of Roehrig Court opposite any residential driveways. No obstructions will be permitted in the sidewalk.

Planning Recommendation

Disapprove the request for sidewalk variance. Sidewalks are required in the R15 zoning district, regardless of the size of the lots developed.

CONDITIONS

1. A revised plat needs to be submitted by November 13, 2003 showing:

- All lots labeled as critical lots.
- Sidewalks.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-268G-06
Parkview at Riverwalk
None.
Scott

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Preliminary Plat

Subdivide 40.5 acres into a 108-lot cluster lot subdivision, with 36% open space, located at the western terminus of Riverspring Drive on the south margin of Highway 70 South and the Harpeth River.

ZONING

RS10

RS10 district requires a minimum lot size of 10,000 square feet. RS10 zoning allows a maximum of 150 single-family lots with 50% of the floodplain remaining undisturbed.

CLUSTER LOT OPTION

Under the proposed cluster lot option, lot sizes can be reduced up to two base zoning districts, from 10,000 square foot lots to 5,000 square foot lots. The plan proposes lots that range in size from 5,000 to 7,968 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. The applicant meets this requirement, showing 36% open space for the entire subdivision.

SUBDIVISION DETAILS

Floodplain

A majority of the parcel is encumbered with floodplain. Approximately 48% of the floodplain area is marked as disturbed. The remaining 52% will remain undisturbed. Lots located in the floodplain are marked as critical and must comply with all critical lot standards of Appendix C of the Subdivision Regulations.

Greenway

The applicant will build approximately 2,650 feet of greenway, a river overlook, trailhead and parking lot and dedicate an easement to the Metro Parks Department. This greenway will connect to the Riverwalk PUD greenway to the east.

The conservation easement area must be revised prior to the Planning Commission meeting to clearly show



Metro Planning Commission Meeting of 10/23/03

the area to remain undisturbed, to relocate the conservation easement to only include the 50 foot floodway buffer plus 25 feet except along Lots 523 to 542, excluding the water quality pond and compensation cut area, and to show the greenway trail area and trailhead beyond the conservation easement as a "Greenway Trail Easement" only.

TRAFFIC

Traffic Engineer's Recommendation

"The March 2000 TIS for Riverwalk was conducted assuming 447 single family and 158 condos, for a total of 408 am trips and 541 pm trips. The plan approved by council was for 491 single family and 61 townhomes, or a total 388 am trips and 491 pm trips. The 108 single family Parkview development generates 85 am trips and 115 pm trips; therefore $408 - 388 - 85 = (-65)$ trips not considered in am and $541 - 491 - 115 = (-65)$ trips not considered in pm. The additional 65 trips is less than 100 peak hour, therefore an additional traffic analysis is not required.

The Parkview at Riverwalk shall be conditioned as follows: All roadway improvements conditioned for Riverwalk shall be completed before any use and occupancy permits will be given for Parkview. These conditions include the completion of roadway improvements and signalization of Newsome Station Rd at McCrory Lane that were delayed until June 2004 per agreement between developers, planning and public works.

CONDITIONS

1. Performance bonds must be posted to secure the satisfactory construction of public improvements prior to the recording of the final plat.
2. A note indicating the Metro Government will not have responsibility for the maintenance of the water quality pond located in the conservation easement area must be added to the final plat.



Metro Planning Commission Meeting of 10/23/03

3. The final plat must include the floodplain acreage and clearly label the area to remain undisturbed.
4. All roadway improvements conditioned for Riverwalk PUD shall be completed before any use and occupancy permits will be given for Parkview. These conditions include the completion of roadway improvements and signalization of Newsome Station Rd at McCrory Lane that were delayed until June 2004, per agreement between developers, Planning and Public Works.
5. Prior to Planning Commission approval, the conservation easement area must be revised to clearly show the area to remain undisturbed.
6. Prior to Planning Commission approval, the conservation easement must be relocated to only include the 50-foot floodway buffer plus 25 feet except along Lots 523 to 542 where it should come to the edge of those lots. The conservation easement must be removed from the areas designated as the water quality pond and compensation cut area.
7. Prior to Planning Commission approval, the plat must be revised to show the greenway trail area and trailhead beyond the conservation easement labeled as a 30 foot wide "Greenway Trail Easement". This easement will not be part of the conservation easement directly adjacent to the Harpeth River.



Project No.

Final Subdivision 2003S-340G-14

Project Name

**Preliminary Subdivision 2002S-229G-14
Windstar Estates, Preliminary and
Section 1 Final**

**Associated Cases
Staff Reviewer**

None
Scott

Staff Recommendation

Approve with conditions.

APPLICANT REQUEST

Revised Preliminary & Final Plat

Revise a preliminary plat to subdivide 77.84 acres into an 84-lot cluster lot subdivision and for final plat of Section One to subdivide 39.48 acres into 47 single-family lots and open space, located abutting the northwest corner at Warren Drive and Keeton Avenue.

ZONING

R10 District

R10 district, requiring a minimum lot size of 10,000 square feet 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 district, requiring a minimum lot size of 15,000 square feet and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots. No duplex lots are proposed.

SUBDIVISION DETAILS

PRELIMINARY PLAT REVISION

The revised preliminary plat differs only in the borrow pit area, undisturbed open space area and the total area for the site. The overall design, including street layout, lot size and location, and open space location, is the same as the approved preliminary plat.

After designing and submitting grading plans for the entire site, it was determined that a larger borrow pit was required in order to have proper sheet flow of water. The grading plans also indicated some areas of the undisturbed open spaces would require substantial grading. This revision includes the expanded borrow pit area. It also includes an expanded undisturbed open space area to compensate for the additional disturbed land in the floodplain. Finally, an updated survey of the



Metro Planning Commission Meeting of 10/23/03

FINAL PLAT

property indicates the total area for the site is 77.84 acres, not 73.03 acres.

A condition of the approved preliminary plat requires at least one-half of the natural floodplain be designated as common open space and maintained in a natural state, not exempting the street and utilities areas. These revisions are necessary for this subdivision to comply with the previously approved conditions.

The final plat for Section One includes 47 lots, a 4.24 acre borrow pit and 24.93 acres of open space. Section 17.12.080(D) of the Metro Zoning Ordinance requires a minimum of 15% open space per phase for cluster lot subdivisions. The applicant meets and exceeds this requirement by providing 63% open space.

The majority of this property lies within the floodplain of the Cumberland River. As mentioned above, a condition of the preliminary plat approval requires at least one-half of the natural floodplain be designated as common open space and maintained in a natural state. The applicant is providing 58.5% undisturbed floodplain for this phase.

Section One of Windstar Estates is consistent with the preliminary plat. A condition of the preliminary plat approval requires approved grading plans for the entire property. The applicant received this approval from the Stormwater Division on September 2, 2003.

TRAFFIC ENGINEER'S FINDINGS

No exception taken.

CONDITIONS

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

1. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements prior to final plat recordation.
2. Grading plans must be revised with the Metro Stormwater Division to include temporary cul-de-sac at the west terminus of Warren Drive.



Metro Planning Commission Meeting of 10/23/03

3. No clearing, grubbing, grading, or other Metro permits will be issued until final plat approval.
4. All grading and engineering plans relating to site development will be approved by the Stormwater Division based on care taken to minimize environmental disturbance and to prevent increased stormwater runoff onto adjacent properties.
5. The final plat shall demonstrate that at least one-half of the natural floodplain is designated as common open space and maintained in a natural state.
6. Warren Drive and Keeton Avenue along the property's frontage must be bonded for or upgraded to Public Work's standards for a local street containing 50 feet of right-of-way prior to final plat recordation.
7. Any deviation from the preliminary plat will require the filing of a new preliminary plat.
8. Correct the preliminary subdivision number to read 2002S-229G-14.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-242U-10
Sneed Road Property
None
Reed

Staff Recommendation

Approve with conditions, including waiver of lot comparability requirements.

APPLICANT REQUEST
Preliminary Plat

A request to subdivide one parcel into two lots on the west side of Sneed Road approximately 950 feet south of Hobbs Road (1.19 acres).

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.

SUBDIVISION DETAILS

The request is to split a 1.19-acre parcel into two lots, of 25,981 and 25,992 square feet. This same request came before the Planning Commission three times previously as: 97S-221U, 98S-117U and 2000S-145U-10. It was disapproved each time for failing to meet the requirements of the Subdivision Regulations for lot comparability, in that the proposed lots didn't have enough frontage.

At the Planning Commission meeting of October 9, 2003, the lot comparability section of the Subdivision Regulations was amended to include the provision that lot comparability may not be required if in the opinion of the Commission the "lot sizes are consistent with the adopted land use policy that applies to the property." (2-4.7.A.4). The land use policy for the proposed lots is RL, residential low density, one to two dwelling units per acre. The proposed lots are approximately 0.6 acres each, which is within the range of the adopted land use policy. The newly adopted standards also allow the commission the ability to waive the comparability standards if a proposed subdivision falls within a one-half mile radius (2,640 feet) of a Regional Activity Center (RAC) policy. Although this proposal does not meet that standard, it does fall within less than a mile of the Green Hills RAC policy (4,575 feet).

The lot comparability analysis of the proposal yielded the following results: Average lot size is 31,907 square



Metro Planning Commission Meeting of 10/23/03

feet, 75% of which is 23,930 square feet. Proposed lots are 25,981 and 25,992 square feet. Average frontage is 106 feet, 90% of which is 95 feet. Proposed lots are 87 feet, or 8.5% less than the minimum.

STORMWATER COMMENTS

The proposal has yet to provide the required water quality concept. No development can occur and no final plat approved without first obtaining approval or a variance from the Stormwater division of Water Services.

PUBLIC WORKS COMMENTS

No exception taken.

CONDITIONS

1. Prior to the submittal of a final plat, applicant must provide stamped, approved plans from the Stormwater division of Water Services.



Project No.
Project Name
Associated Cases
Staff Reviewer

Subdivision 2003S-262G-02
Quail Ridge, Sec. 6, 1st Revision
None
Harris

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Final Plat

A request to remove the sidewalk along the east side of Setter Court, approximately 150 feet northeast of Quail Ridge Drive (9.22 acres).

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.

PLAT DESIGN

Sidewalk Provision

This subdivision is approved for 16 lots along Setter Court with a sidewalk on the east side.

Section 2-6.1 of the Subdivision Regulations states that sidewalks are only required on residential lots zoned for less than 20,000 square feet in minimum lot size.

These lots are zoned R20 and are 20,000 square feet or greater.

Public Works' Recommendation

No Exception Taken.

CONDITIONS

1. Prior to the recordation of the final plat, all property owners' signatures within this subdivision along Setter Court must be submitted.



Project No.
Project Name
Council Bill
Associated Case
Staff Reviewer

Planned Unit Development 98P-001G-14
Alta Lake Residential PUD
None
None
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST
Revised Preliminary

Request to revise the preliminary master plan for the Alta Lake Residential PUD to allow for the development of a 156-unit townhouse project, which would replace the 196-unit multi-family project, within Phase 2 of the PUD. The property is located east of Dodson Chapel Road and between Interstate 40 and Bell Road.

PLAN DETAILS

The proposed plan calls for a reduction in multi-family units from 196 to 156 – thereby removing the need for any development bonuses. Density bonuses were provided as a part of the currently approved plan. The most recently revised plan was approved by the Planning Commission in November of 1999. That revised preliminary plan allowed for the development of 366 multi-family units in Phase 1, 196 multi-family units in Phase 2, and provided for the dedication of a 16-acre tract along Dodson Chapel Road and Bell Road to Metro Government for use as a Metro Park. The 1999 approval also provided final PUD approval to allow for the development of Phase 1 and to allow for the development of a Greenway Trail throughout the dedicated (Phase 3) site and a portion of Phase 2.

The site design of the proposed revision does not include significant changes from the currently approved plan. The proposed plan provides for one point of ingress and egress off of Bell Road. Detention will be provided on-site and constructed in conjunction with the deepening and widening of an existing wet-weather stream bed.

TRAFFIC ENGINEER'S FINDINGS



Metro Planning Commission Meeting of 10/23/03

Recommend conditional approval, subject to the following conditions being met:

1. All previously conditioned road improvements from Phase 1 shall be installed. The receipt of the \$30,000 contribution for improvements at the Dodson Chapel Rd/Central Pike intersection shall be verified.
2. For this Phase 2 apartment development, a 12-foot left turn lane with 75 feet of storage and [a] 160-foot transition per AASHTO standards shall be installed on Bell Road at the apartment entrance.

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.
2. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.
3. Since a portion of the slope edge of the detention area encroaches into the Metro dedicated park tract, the appropriate access and maintenance easement agreements shall be executed between the developer and Metro Government.
4. Prior to the issuance of any Use and Occupancy permits for Phase II apartment development, a 12-foot left turn lane with 75 feet of storage and a 160-foot transition per AASHTO standards shall be installed on Bell Road at the apartment entrance.



Project No.
Project Name

Planned Unit Development 2000P-003G-06
Riverwalk Community Residential PUD
Phase 3A & 3B

Council Bill
Associated Case
Staff Reviewer

None
None
Mitchell

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

Final PUD

Permit the development of 47 single-family lots (Phases 3A & 3B) on a 29.91-acre portion of the 150.71-acre section of the Riverwalk Community residential subdivision located north of the CSX railroad tracks and south of the Harpeth River. The entire 150-acre section of this PUD includes Phases 2, 3, and 4. This request for final PUD approval is only for Phase Two. Proposed lots will range in size from 5,024 square feet to 9,186 square feet.

PUD / PLAN DETAILS

History

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

On May 8, 2003, Phase 2 received final PUD approval following approval of an amendment to the PUD, by Metro Council, which added seven single-family lots to Phase 2. Although the plan was amended to add lots, the overall design did not significantly change. The previous final PUD approval for Phase 2 had been provided by the Metro Planning Commission in October of 2002.

Proposed Plan

The Phase 3A & 3B plan proposes 47 single-family lots along the main perimeter road of the north side of this PUD. These 47 lots will be located adjacent to the dedicated open space and proposed greenway trail, which runs along the riverside perimeter of the entire 150-acre northern portion of the PUD and adjacent to the Harpeth River.



Metro Planning Commission Meeting of 10/23/03

Greenway Trail

A potential change to the approved greenway trail being developed as part of the residential PUD is included with this request. Directly west of the phase 3A & 3B portions of the PUD is a proposal for a cluster lot subdivision that is not being developed as a planned unit development (Case #2003S-268G-06). The developer of that site (Parkview at Riverwalk) has reached an agreement with the Riverwalk developer to relocate a portion of the approved greenway trail *from* Phases 3A & 3B of the Riverwalk PUD to continue westward into the new subdivision. In addition, the currently approved greenway parking area, located in phase 2B of the Riverwalk PUD, would be relocated to the Parkview at Riverwalk subdivision. Should these proposals ever reach fruition – and if the developers still want to relocate the greenway trail – the Riverwalk PUD shall be revised to show the trail extension into the subdivision at the north end, shall be revised to remove the currently approved greenway parking area, and shall be revised to provide for a continuation of the greenway trail *out* of the subdivision and back into the Riverwalk PUD. This return of the trail back into the PUD shall seamlessly tie in to the existing sidewalk network within the PUD, as was provided in the currently approved plan.

TRAFFIC ENGINEER'S FINDINGS

Approve

CONDITIONS

1. Should the currently-approved greenway trail be re-routed into the development proposal located west of the Riverwalk PUD, the Riverwalk PUD shall be revised to show the trail extension into the subdivision at the north end, shall be revised to remove the currently-approved greenway parking area, and shall be revised to provide for a continuation of the greenway trail *out* of the subdivision and back into the Riverwalk PUD. This return of the trail back into the PUD shall seamlessly tie-in to the existing sidewalk network within the PUD, as was provided in the currently approved plan.
2. This approval does not include any signs. Business accessory or development signs in commercial or



Metro Planning Commission Meeting of 10/23/03

industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



Project No.

**Urban Design Overlay Proposal
2001UD-001G-12 Lenox Village Phase "I"**

**Council Bill
Associated Cases
Staff Reviewer**

None
None
Fawcett / Mitchell

Staff Recommendation

Approve Phase "I"; which is consistent with the UDO design concept plan.

APPLICANT REQUEST

Approval of final construction plans for Phase "I" in order to permit development of 50 townhouses, 4 single-family rear access homes, and 15 single-family street access homes.

Existing Zoning
RM9 zoning with a UDO

Mixed housing type residential development in accordance with a design concept plan and design guidelines.

Proposed Zoning

N/A

SUBAREA 12 PLAN

Policy

Residential Medium (RM) Density

Policy Conflict

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

RECENT REZONINGS

No

TRAFFIC

Traffic Study Submitted

No – none required.

Metro Traffic Engineer's Findings

Disapprove. "[The applicant] submitted a revised plan addressing [staff] comments. He has removed parking around the park area on Heaton Way and placed no parking signs in order to address comments 1 and 2. He maintains 18 feet of pavement. Since the area of on - street parking is greater than 100 feet; this parking removal will need to go before the T&P commission for approval. It should also be demonstrated that the pavement width is necessary for adequate turning movements and does not encourage illegal potential illegal parking if the commission approves such parking



Metro Planning Commission Meeting of 10/23/03

removal. We have determined that the presented response is insufficient. Further analysis is required for appropriate pavement width and Truck turning radius.”

STAFF ANALYSIS

The UDO concept plan calls for Sunnywood Drive to eventually be extended to adjoining property to the south of Phase “I”. For this phase, both Heaton Way and Sunnywood Drive are being extended to the south with cross-connections via smaller lanes or drives. Centrally located in this phase is a small park area that some of the townhomes will face and be able to utilize. Staff worked with the applicant to re-route and re-engineer some stormwater flows so as to preserve usefulness of the park.

Metro Public Works is not providing a recommendation of approval at this time based upon conflicts between the proposed design and current Public Works’ standard designs. Planning Department staff finds that the revised plan appears to reflect the Council-approved master UDO plan and concept.



Project No.
Project Name

Mandatory Referral 2003M-113U-08
37th Avenue North Name Change to
“Elizabeth Jordan Street”

Council Bill
Staff Reviewer

None
Scott

Staff Recommendation

Approve

APPLICANT REQUEST

A request to rename a portion of 37th Avenue North, between Georgia Avenue and Indiana Avenue, to Elizabeth Jordon Street, to honor resident and past president of Preston Taylor homes, requested by MDHA, property owner.

DEPARTMENT AND AGENCY COMMENTS

The applicant has requested that this section of roadway be officially named “Elizabeth Jordan Street” to honor a life long resident of Preston Taylor and Past President of the Preston Taylor Residents Association.

Staff supports the requested renaming because it is an extension of the existing Elizabeth Jordan Street and eliminates an isolated, one block street name, 37th Avenue North.

MDHA owns the three adjacent properties affected by this renaming.



Project No.
Project Name

Mandatory Referral 2003M-114U-10
Awning Encroachment at 1517, 1519, and 1521 Dallas Avenue

Council Bill
Staff Reviewer

None
Scott

Staff Recommendation

Approve with conditions

APPLICANT REQUEST

A request for an awning encroachment located at 1517, 1519, and 1521 Dallas Avenue, at the southeast corner of Dallas Avenue and Belmont Boulevard, requested by the Max Pollack, Wayside Construction Company.

APPLICATION REQUIREMENTS

License to Encroach Agreement

Yes, one was submitted

Insurance Certificate

Yes, one was submitted providing general liability of \$1,000,000 for each occurrence and \$1,000,000 for aggregate coverage.

Property Owner Sign Application

No

Tenant Sign Application

No

DEPARTMENT AND AGENCY COMMENTS

Planning

Prior to receiving Planning Commission approval, the License Agreement must be revised so that the owners, their agent or the tenant is the only entity indemnifying Metro Government. The insured party on Certificate of Liability Insurance must also be revised to agree with the License Agreement. Staff recommends conditional approval of this item.

Public Works

This item is recommended for approval by Metro Public Works.

Water Services

This department has no objection to the awning encroachment at the SE corner of Dallas Avenue, however, should we need to make repairs to the 8” sewer main or 6” water main under the SE corner of the building the awning will be removed at the owners expense.



Metro Planning Commission Meeting of 10/23/03

CONDITIONS

1. A corrected License Agreement and Certificate of Liability Insurance must be submitted to the Planning Department prior to Planning Commission approval.



Project No.
Project Name
Council Bill
Staff Reviewer

Mandatory Referral 2003M-115U-04
Street Closure on Lawrence Avenue
None
Scott

Staff Recommendation

Approve

APPLICANT REQUEST

A request to close a portion of Lawrence Avenue, located at the western terminus of Lawrence Avenue and the southern terminus of Palmer Avenue, for the purposes of closing an unbuilt, unused right-of-way to illegal dumping and criminal activity, requested by Pedro Martinez, property owner.

APPLICATION REQUIREMENTS

Application properly completed and signed?

Yes

Abutting property owners' sign application?

Yes

DEPARTMENT AND AGENCY COMMENTS

Planning

The right-of-way for the unbuilt portion of Lawrence Avenue runs from the intersection of Lawrence Avenue and Palmer Avenue west, approximately 125 feet. It dead-ends into the rear of a residential lot in the Shannon Place subdivision. One half of the abandoned right-of-way will revert to the owner of Parcel 088, who has a driveway that accesses Lawrence Avenue. In addition, the owner of Parcel 088.

Planning staff recommends approval of this request.

Public Works

Public Works recommends approval of this request.

Nashville Electric Service

NES recommends approval of this item, provided that NES retains all existing easements.

Water Services

Water Services recommends approval of this item, provided that Water Services retains all existing easements.