



**Project No.**  
**Associated Case**  
**Council Bill**  
**Staff Reviewer**

**Text Change 2002Z-021T**  
None  
BL2002-1171  
Leeman

**Staff Recommendation**

*Approve as amended*

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**REQUEST**

**Change the text of the Zoning Code to establish buffering distances between waste facilities and parks and schools, and by defining the term “park.”**

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**AMENDMENT PURPOSE**

The purpose of this text amendment is to substitute a 1,000-foot buffer for the existing 2-mile buffer. After reviewing this matter, the Metropolitan Health Department, Pollution Control Division (PCD), determined that a 1,000-foot buffer from the active area of a landfill or a waste transfer station to the nearest school or park would be sufficient to prevent fugitive dust and odors from becoming a nuisance or a public health threat.

The proposed amendments will effectively require landfills and waste transfer stations to be located at least 1,000 feet from the property line of any school or park. The PCD has conducted a literature review of similar setback requirements, finding the proposed setback of 1,000 feet to be consistent with requirements of other localities provided that the setback is from the property line of the park or school to the active area of the landfill.

The predominate air pollutants emitted from the operation of a typical landfill or waste transfer station would be particulate matter in the form of fugitive dust and nuisance odors. The PCD is of the opinion that a 1,000 foot setback from the active area of a landfill or a waste transfer station to the nearest school, park, or residence would be sufficient to prevent fugitive dust and odors from becoming a nuisance or a public health threat. This opinion is based on the assumption that the facilities would be operated in full compliance with all applicable federal, state, and local regulations including Section 10.56.170 “Emission of Gases, Vapors or Objectionable Odors” and Section 10.56.190 “Controlling Wind-borne Materials” of Chapter 10.56 “Air Pollution Control” of the Metropolitan Code of Laws.



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The specific changes to the Zoning Code are listed below:

Section 1. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations is hereby amended as follows:

Section 17.16.110 A.2. Setback by deleting the words “two miles” and replacing them with the words “one thousand feet”.

Section 2. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County, Zoning Regulations is hereby amended as follows:

Section 17.16.110 B.3. Setback by deleting the period at the end of the sentence and adding the following provision:

“, and further the facility shall not be located less than one thousand feet of the property line of any school or park.”

Section 3. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County is hereby amended as follows:

Section 17.16.210 A.1. Setback. by deleting the words “two miles” and replacing them with the words “one thousand feet”.

Section 4. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County is hereby amended as follows:

Section 17.16.210 B.2. Setback. by deleting the period at the end of the sentence and adding the following provision:

“, and further the facility shall not be located less than one thousand feet of the property line of any school or park.”

Section 5. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County be and the same is hereby amended as follows:

Section 17.16.210 C.3. Setback. by deleting the period a the end of the sentence and adding the following provision:

“, and further the facility shall not be located within one thousand feet of the property line of any school or park.”

Section 6. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County be and the same is hereby amended as follows:

Section 17.04.060 B. General Terms. by adding the following definition:

“Park” means any facility that is: 1) open to the public for recreational uses, including, but not limited to, hiking, swimming, boating, camping; 2) predominately kept in a natural state; 3) property of the local, state or federal government, or any department or



## Metro Planning Commission Meeting of 9/12/02

agency thereof, specifically designated as a park, natural area or recreation area; and 4) any other facility defined as such under the Metropolitan Code of Laws § 13.24.010.

Section 7. That Title 17 of the Code of The Metropolitan Government of Nashville and Davidson County be and the same is hereby amended as follows:

Section 17.16.040 A.2. Setback by deleting the period at the end of the sentence and adding the following language:

Notwithstanding any other provision of the Metropolitan Code of Laws, no new Community Education facility, as defined in Metropolitan Code of Law section 17.04.060 B., shall henceforth be constructed within 1,000 feet of the property line of any Landfill or other Waste Disposal or Transfer Facility.

Section 8. That Title 17 of the Code of the Metropolitan Government of Nashville and Davidson County be and the same is hereby amended as follows:

By adding the following language as a new section:

Notwithstanding any other provision of the Metropolitan Code of Laws, no new Park, as herein defined, except a Greenway, shall henceforth be constructed within 1000 feet of the property line of any Landfill or other Waste Disposal or Transfer Facility.



**Project No.**  
**Council Bill**  
**Associated Cases**  
**Deferral**  
**Staff Reviewer**

**Zone Change 2002Z-086U-03**  
None  
None  
Deferred by the MPC on 8/22/02  
Hardison

**Staff Recommendation**

*Approve. Although ON zoning does not implement the Subarea 3 Plan's residential low medium (RLM) policy, ON zoning allows uses that are compatible with residential areas.*

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**APPLICANT REQUEST**

**Rezone 1.07 acres from Residential (R10) to Office Neighborhood (ON) at 2313 Buena Vista Pike.**

**Existing Zoning**  
R6 zoning

R10 is intended for single-family homes and duplexes at 3.7 units per acre.

**Proposed Zoning**  
ON zoning

ON zoning is intended for neighborhood scale office uses.

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**SUBAREA 12 PLAN POLICY**

Residential Low Medium (RLM)

RLM policy is intended for two to four dwelling units per acre.

**Policy Conflict**

The ON district is not literally consistent with the intent of the Subarea 3 Plan's RLM policy, but the ON district restricts the office uses to those compatible with residential uses. In large residential areas it is within good planning guidelines to allow some opportunities for neighborhood scale retail and office. Currently there are several commercially zoned properties to the west of this property that provide some commercial in this area and the addition of ON district property should not harm the current make up of this neighborhood. Office uses within the ON district are restricted to 2,500 square feet of office development.

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**RECENT REZONINGS**

None

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**TRAFFIC**

Based on typical uses in ON zoning which only allows 2,500 sq. ft. of development, uses such as medical-dental office and general office, approximately 27 to 90 trips per day could be generated by these uses (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic.



## Metro Planning Commission Meeting of 9/12/02

**Metro Traffic Engineer's  
Findings**

Approve.

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**Project No.**  
**Associated Case**  
**Council Bill**  
**Staff Reviewer**

**Zone Change 2002Z-093G-06**  
None  
None  
Hardison

**Staff Recommendation**

*Approve*

**APPLICANT REQUEST**

**Rezone 0.92 acres from Residential (R15) to Commercial Service (CS) at 7345 Charlotte Pike.**

**Existing Zoning**  
R15 zoning

R15 is intended for single-family and duplexes at 2.47 units per acre.

**Proposed Zoning**  
CS zoning

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

**SUBAREA 6 PLAN POLICY**

Retail Concentration Super Community (RCS)

RCS policy is intended for existing and planned large concentrations of predominantly retail development at highly accessible major intersections and freeway interchange locations.

**Policy Conflict**

None. The property is located in the Subarea 6 Plan's Retail Concentration Super Community (RCS) Policy area. This rezoning request is consistent with the intent of RCS policy. The RCS policy calls for commercial development in areas without freeway interchanges to be 500,000 to 1,000,000 square feet areas with a freeway interchange may be larger to accommodate freeway-oriented uses. Currently within this RCS policy area there is less than 1,000,000 square feet of commercial development, therefore this rezoning fits within the scope of development in this area.

This area has started to develop as a retail center. Currently there is a Sam's Club Warehouse located at the interchange of Old Hickory Boulevard and I-40, in addition to several other small retail uses at that interchange. The area between the aforementioned interchange and the location of this proposed rezoning has yet to see any large scale development aside from an elementary school located along this stretch of Old Hickory Boulevard. Adjacent to this property is are several small retail uses.



## Metro Planning Commission Meeting of 9/12/02

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**RECENT REZONINGS**

None

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**TRAFFIC**

Based on typical uses in CS zoning. With on site parking allowing 10,000 sq. ft. of commercial development per acre, such as a fast-food restaurant, gas station with convenience market, and quick lubrication vehicle shop, approximately 40 to 4,564 trips per day could be generated by these uses (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic.

**Traffic Engineer's Findings**

Approve.



**Project No.**  
**Council Bill**  
**Associated Cases**  
**Staff Reviewer**

**Zone Change 2002Z-094G-13**  
None  
None  
Fuller

**Staff Recommendation**

*Disapprove as contrary to the General Plan. CS, CN and ORI zoning do not implement Subarea 13 Plan's Residential Medium High (RMH) and Residential Medium (RM) policy. ORI zoning permits a floor area ratio of 3.0, which exceeds the existing non-residential development patterns in the area and is a district more appropriate within highly urbanized areas. The RM15 zoning exceeds the Residential Medium (RM) policy and the R6 zoning is lower than the densities described in the Residential Medium High (RMH) policy.*

*Although impossible to predict the result of this proposal, existing infrastructure, total including schools and roads, cannot accommodate a proposal of this intensity. If a council bill is filed it should include the following conditions to be completed or bonded prior to the recording of any final subdivision plat. The following are bare minimum requirements and additional improvements may be required:*

- 1. Mt.View Road must be widened from Murfreesboro Pike to Bell Road to the standards outlined in the Major Street Plan (currently U2).*
- 2. Hamilton Church Road must be widened from Murfreesboro Road to Zelida Avenue to the standards outlined in the Major Street Plan (currently U4).*
- 3. Zelida Avenue must be widened from Hamilton Church Road to Bell Road to the standards outlined in the Major Street Plan (currently collector).*
- 4. The existing junction of Hamilton Church Road and Zelida Avenue must be modified to accommodate a new project access in the form of an all-way stop T-intersection.*
- 5. Two school sites acceptable to the Metro Board of Education shall be offered for dedication to said Board. Each school site shall be in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students.*





## Metro Planning Commission Meeting of 9/12/02

### APPLICANT REQUEST

**Rezone 388.6 Acres of AR2a to CS (61.26 acres), CN (13.97 acres), ORI (107.33 acres), RM15 (144.18 acres and R6 (61.84 acres).**

#### Existing Zoning

AR2a zoning

AR2a permits one dwelling unit per two acres. It is intended for uses that generally occur in rural areas (single-family, two-family and mobile homes).

Existing zoning would permit 194 dwelling units.

#### Proposed Zoning

CS zoning

CS is intended for a wide range of commercial service related uses, including low-intensity manufacturing, self-service storage, light-manufacturing, auto-repair, vehicular sales, distributive business wholesale, retail, office and restaurants. Proposed zoning would allow approximately 1,601,091 square feet of commercial space.

CN zoning

CN is designed to provide for the recurring shopping and personal service needs of nearby residential areas. The range of permitted uses is limited to those that are generally patronized on a frequent basis by neighborhood residents. Proposed zoning would allow approximately 152,133 square feet of commercial space.

ORI zoning

ORI is intended to provide adequate and suitable space in appropriate locations for high intensity office uses mutually compatible with high-density residential uses. These districts are appropriately located between districts characterized by lower density residential and office development and areas of more intensive commercial uses, or they are extensions along major traffic arteries from areas used for more intensive commercial purposes. Proposed zoning would allow approximately 14,025,884 square feet of office space; it could generate 14,026 dwelling units (based on 1,000 square foot units).

RM15 zoning

RM15 is designed for moderately high intensity multifamily structures. These districts should have good access to arterial streets and public transportation service. Proposed zoning would permit 2,163 dwelling units.



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R6 zoning

R6 is intended for single-family homes and duplexes at 6.2 units per acre. Proposed zoning would allow 381 dwelling units.

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### SUBAREA 13 PLAN

#### Policy

Residential Medium High (RMH)

RMH policy permits 9 to 20 dwelling units per acre.

Residential Medium (RM)

RM policy permits 4 to 9 units per acre. A variety of housing types are appropriate for the RM areas, including compact single-family detached units, townhomes and walk-up apartments. The plan suggests that development is appropriate at the higher end of the density range in this area.

#### Policy Conflict

Yes. CS, CN and ORI zoning do not implement Subarea 13 Plan's Residential Medium High (RMH) and Residential Medium (RM) policy. The RM15 zoning exceeds the Residential Medium (RM) policy and the R6 zoning is lower than the densities described in the Residential Medium High (RMH) policy.

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### RECENT REZONINGS

Yes. MPC recommended disapproval on 3/28/02 (2002Z-025U-13) rezoning part of parcel 252 (located near the southwest corner of the intersection of Murfreesboro Pike and Hamilton Church Road) from IWD to CS. Council approved on 6/4/02 (BL2002-995).

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### TRAFFIC

The proposed zone change would permit a total of 2,544 dwelling units (2163 multi-family and 381 single-family), 1,754,042 square feet of commercial space and 14,025,884 square feet of office space. This development would create approximately 192,161 vehicle trips per day if developed to maximum potential under the proposed zoning. (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Staff feels that due to the increase in traffic that would be generated by this zone change, several traffic-related requirements should be included in any Council bill filed to effect this zone change as conditions to be completed or bonded prior to any final subdivision plat recordation. Those conditions are:

1. Mt.View Road must be widened from Murfreesboro Pike to Bell Road to the



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standards outlined in the Major Street Plan (currently U2).

2. Hamilton Church Road must be widened from Murfreesboro Road to Zelida Avenue to the standards outlined in the Major Street Plan (currently U4).
3. Zelida Avenue must be widened from Hamilton Church Road to Bell Road to the standards outlined in the Major Street Plan (currently collector).
4. The existing junction of Hamilton Church Road and Zelida Avenue must be modified to accommodate a new project access in the form of an all-way stop T-intersection.

### Traffic Study Submitted

Yes.

### Metro Traffic Engineer's Findings

Although a Traffic Impact Study was submitted, the Metro Traffic Engineer has indicated that he cannot make a recommendation because the TIS needs to analyze roadway sections in addition to analyzing intersections.

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### SCHOOLS

224 Elementary   158 Middle   128 High School  
1198 Elementary   839 Middle   682 High School\*

### Schools Over/Under Capacity

If the property were developed under the proposed zoning, 511 students would be generated. Students would attend Maxwell Elementary School, Antioch Middle School, and Antioch High School. All of these schools have been identified as being overcrowded by the Metro School Board.

Two school sites acceptable to the Metro Board of Education shall be offered for dedication to said Board. Each school site shall be in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students.

\*The second set of numbers is based upon 2,721 additional students that would be generated if the ORI zoning were to develop as residential instead of office.

### FUTURE SUBDIVISION

The Planning Department recommendation for this rezoning addresses only the questions of compliance with adopted land use policy and adequacy of infrastructure, given entitlements



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associated with the requested zoning district. Any future subdivision requested for this property must meet all of the specific requirements of the Metropolitan Zoning Code and the additional requirements of the Subdivision Regulations. Given that a significant portion of the property contains steep slopes [slopes 20% or greater], the following subdivision standards may materially affect the development yield and the form of development on the site.

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

Included among those provisions are the following requirements:

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



**Project No.**  
**Council Bill**  
**Associated Cases**  
**Staff Reviewer**

**Zone Change 2002Z-095G-12**  
None  
None  
Hardison

**Staff Recommendation**

*Approve with conditions. If a council bill is filed, it should include the following conditions to be completed or bonded prior to the recording of any final subdivision plat.*

1. *Upgrade Cane Ridge Road to Major Street Plan standards (currently collector and U4) from the southernmost access point between the property and Cane Ridge Road to the beginning of the four-lane section of Cane Ridge Road just south of Bell Road. This condition is to be met unless a Traffic Impact Study is submitted demonstrating that the majority of the traffic from development on the subject property will use the segment of Cane Ridge Road between the property and Old Hickory Boulevard to the south. In such case, Cane Ridge Road must be upgraded to Major Street Plan standards (currently collector) from the northern most access point of parcel 151 to Old Hickory Boulevard.*
2. *A school site acceptable to the Metro Board of Education shall be offered for dedication to said Board. The school site shall be in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students.*

**Note:**  
**This is to protect against an access being acquired through 136 or 176, etc., and there improvements not being required that far south.**

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**APPLICANT REQUEST**

**Rezone 130.04 acres from Agricultural/Residential (AR2a) to Residential (RS10) at 5791, 5799, and Cane Ridge Road (unnumbered).**

**Existing Zoning**  
AR2a zoning

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

**Proposed Zoning**  
RS10 zoning

RS10 is intended for single-family homes at 3.7 units per acre. This zone change would allow the construction of 481 dwelling units.

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**SUBAREA 12 PLAN POLICY**

Residential Low Medium (RLM)

RLM policy is intended for 2 to 4 dwelling units per acre.



## Metro Planning Commission Meeting of 9/12/02

### Policy Conflict

None. RS10 district allows 3.7 units per acre, while the RLM policy calls for 2 to 4 units per acre. The RS10 district is consistent with the Subarea 12 Plan's RLM policy.

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### RECENT REZONINGS

Yes. MPC recommended approval with conditions on 8/22/02 (2002Z-075G-12) rezoning parcels 1, 2, and 192 from AR2a to RS10 and RM15.

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### TRAFFIC

The proposed zone change would permit a total of 481 units. This number of units would create approximately 4,603 vehicle trips per day (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic. In 2001, Cane Ridge Road handled an average of 1,142 vehicle trips per day. Staff feels that due to the increase in traffic that would be generated by this zone change, traffic-related requirements should be included in any Council bill filed to effect this zone change as conditions to be completed or bonded prior to any final subdivision plat recordation:

1. Upgrade Cane Ridge Road to Major Street Plan standards (currently collector and U4) from the southernmost access point between the property and Cane Ridge Road to the beginning of the four-lane section of Cane Ridge Road just south of Bell Road. This condition is to be met unless a Traffic Impact Study is submitted demonstrating that the majority of the traffic from development on the subject property will use the segment of Cane Ridge Road between the property and Old Hickory Boulevard to the south. In such case Cane Ridge Road must be upgraded to Major Street Plan standards (currently collector) from the northern most access point of parcel 151 to Old Hickory Boulevard.

### Metro Traffic Engineer's Findings

The Metro Traffic Engineer has indicated that no traffic impact study has been submitted by the applicant, and has provided no recommendation.

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### SCHOOLS Students Generated

93 Elementary 67 Middle 54 High School



## Metro Planning Commission Meeting of 9/12/02

### Schools Over/Under Capacity

If the property were developed under the proposed zoning, 214 students would be generated. Students would attend Maxwell Elementary School, Antioch Middle School, and Antioch High School. Maxwell Elementary, Antioch Middle, and Antioch High School have been identified as being overcrowded.

A school site acceptable to the Metro Board of Education shall be offered for dedication to said Board. Each school site shall be in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students.

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### FUTURE SUBDIVISION

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

- Zoning Ordinance Section 17.28.030 – Hillside development standards
- Zoning Ordinance Section 17.28.040 – Floodplain/floodway Development Standards
- Subdivision Regulation 2-3 – Suitability of the land
- Subdivision Regulation 2-7.5 – Open Space Conservation Easements
- Subdivision Regulation, Appendix C – Critical Lots (Plans and Procedures)

Included among those provisions are the following requirements:

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



## Metro Planning Commission Meeting of 9/12/02

- “For lots of less than one acre, land area designated as natural floodplain or floodway . . . shall not be used to satisfy minimum lot size requirements of the district if manipulated.” 17.28.040(A)(1) (emphasis added).
- Use of the cluster lot option is also encouraged on property containing natural floodplain and floodway areas. “At a minimum, one-half of the natural floodplain area including all of the floodway area shall be designated as common open space and maintained in a natural state . . .” 17.28.040(A)(2) (emphasis added).





**Project No.**  
**Council Bill**  
**Associated Cases**  
**Staff Reviewer**

**Zone Change 2002Z-096U-12**  
None  
None  
Hardison

**Staff Recommendation**

*Approve*

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**APPLICANT REQUEST**

**Rezone 1.45 acres from Residential Multi-Family (RM20) to Office/Multi-Family Residential (OR20) at 350 Wallace Road.**

**Existing Zoning**  
RM20 zoning

RM20 is intended for multi-family residential at 20 units per acre.

**Proposed Zoning**  
OR20 zoning

OR20 is intended for office and multi-family residential at 20 units per acre.

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**SUBAREA 12 PLAN POLICY**

Office Concentration (OC)

OC policy is intended for large concentrations of office uses.

**Policy Conflict**

None. OR20 district is consistent with the Subarea 12 Plan's OC policy. This property is situated between an OR20 zoned property to the west, RM20 zoned property to the north, and recently approved by the Planning Commission OL property to the east.

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**RECENT REZONINGS**

Yes. MPC recommended approval on 8/22/02 (2002Z-080U-12) rezoning parcel 7 from R6 to OL, and on 7/25/02 (2002Z-074U-12) rezoning parcels 17 and 182 from RM20 and R6 to OL.

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**TRAFFIC**

Based on typical uses in OR20 zoning, with on site parking allowing 10,000 sq. ft. of office development per acre or 29 apartment units which could be developed with the OR20 zoning, approximately 192 to 524 trips per day could be generated by these uses (Institute of Transportation Engineers, 6<sup>th</sup> Edition, 1996). Other uses at different densities could generate more or less traffic.

**Traffic Engineer's Findings**

Approve

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**SCHOOLS**

**Students Generated**

**4 Elementary 3 Middle 2 High School**



## Metro Planning Commission Meeting of 9/12/02

### Schools Over/Under Capacity

Students will attend Haywood Elementary School, McMurray Middle School, and Overton High School. Haywood Elementary and McMurray Middle have been identified as being overcrowded by the Metro School Board, but Overton High School has not been identified as being overcrowded.



**Project No.**  
**Associated Case**  
**Council Bill**  
**Staff Reviewer**

**Zone Change 2002Z-098G-06**  
None  
None  
Leeman

**Staff Recommendation**

*Approve. The proposed AR2a district is consistent with the Subarea 6 Plan's Natural Conservation (NC) policy calling for very low-intensity development and the preservation of the steep topography in the area.*

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**APPLICANT REQUEST**

**This request is to rezone a 3.68-acre portion of property from residential single-family (RS80) to agricultural (AR2a) at 7132 Charlotte Pike.**

**Existing Zoning**  
RS80 zoning

The front portion of this site, currently zoned CS, falls within the Subarea 6 Plan's Commercial Mixed Concentration (CMC) policy along Charlotte Pike. The applicant is requesting to change the zoning on the rear portion of the site. While AR2a permits a variety of uses, the applicant has indicated an intention to use the property for walking trails for dogs temporarily residing in kennels on the adjacent property (parcel 75).

**Proposed Zoning**  
AR2a zoning

RS80 zoning is intended for single-family residential development with a minimum lot size of 80,000 square feet and a maximum density of 0.46 units per acre.

AR2a zoning is intended for residential dwellings requiring 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. AR2a also allows for kennels and stables as a Special Exception (SE), requiring Board of Zoning Appeals approval.

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**SUBAREA 6 PLAN**  
**Policy**  
Natural Conservation (NC)

NC policy is intended for mostly undeveloped areas characterized by the widespread presence of steeply sloping terrain, unstable soils, floodplains or other environmental features that are constraints to development at urban intensities.



## Metro Planning Commission Meeting of 9/12/02

### Policy Conflict

No. The AR2a district is consistent with the Subarea 6 Plan's NC policy calling for low-intensity development and the preservation of the steep slopes in the area.

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### TRAFFIC

Charlotte Pike is classified as a U4 on the Major Street Plan. Charlotte Pike currently has approximately 26 feet of pavement width at this location.

### Traffic Engineer's Findings

Approve.

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### SCHOOLS

### Students Generated

  0   Elementary   0   Middle   0   High Schools



**Project No.**  
**Project Name**  
**Associated Cases**  
**Staff Reviewer**

**Subdivision 2002S-183U-05**  
**H.G. Hills Center, Resubdivision of Lot 1**  
None  
Mitchell

**Staff Recommendation**

*Approve with conditions subject to a subdivision variance for lot comparability and a revised plat prior to recordation.*

**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

Subdivide existing Lot 1, which is the current location of an H.G. Hills grocery store, into a 5-lot subdivision, thereby creating four residential lots along Hillside Road.

**ZONING**

CS district, which provides for a diverse range of commercial uses, and RS10 district, requiring a minimum lot size of 10,000 sq. ft.

**SUBDIVISION DETAILS**

**Ewing Creek**

Ewing Creek flows through the existing Lot 1 adjacent to the southern property line, along Broadmoor Drive, and under Hillside Road. The applicant has provided a 25-foot buffer, extending northward from the top of bank, along the entire length of the creek as it passes through the existing Lot 1 and to the south of proposed Lot 2. In addition to the buffer provision, a note has been added the plat stating that the surface within the buffer zone will remain in a natural state and not disturbed by construction activity.

The Stormwater Division of Metro Water Services Department stated that since the existing flood study does not include this portion of the creek, or Lot 1, and because the creek ditch flows through the subject property, grading plans must be approved prior to any hearing before the Metro Planning Commission.

**Resubdivision Details**

The existing Lot 1 is an irregular-shaped lot that abuts Dickerson Pike, Broadmoor Drive, and Hillside Road. This lot crosses two zoning classifications, CS and RS10, of which the H.G. Hill grocery store and Advance Auto Parts are located within the CS district.



## Metro Planning Commission Meeting of 9/12/02

The applicant is proposing to create four residential lots within the RS10 portion of Lot 1 – of which all four lots will front Hillside Road. The four residential lots meet minimum lot size requirements by ranging from 10,285 sq. ft. to 13,436 sq. ft.

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### SUBDIVISION VARIANCES

#### Lot Comparability

(Section 2-4.7)

Applicant is requesting a lot comparability variance for lot frontage. The subdivision regulations require that the minimum frontage of proposed lot(s) equal 90% of the average frontage of the applicable surrounding lots. Having completed the lot comparability study for the proposed resubdivision, the minimum lot frontage requirement is 57 feet. The proposed 53.25 feet of actual property frontage for Lot 2 has been created by the provision of the 25-foot Ewing Creek buffer; however, Lot 2 will actually appear wider than 53.25 feet because of the 25-foot buffer.

#### Recommendation

Staff recommends approval of the requested subdivision variance because the required 25-foot stream buffer creates a hardship for actual lot frontage, even though Lot 2 will actually appear to provide approximately 78 feet of frontage.

---

### TRAFFIC ENGINEER'S FINDINGS

Approval

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### CONDITIONS

Staff recommends conditional approval of this plat subject to a subdivision variance for lot comparability and a revised plat being submitted prior to recordation:

1. The Metro Department of Water Services prior to the Planning Commission meeting must approve grading plans.
2. Zoning district, as delineated on plat, needs to be revised to reflect RS10 instead of R10.
3. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements.



**Project No.**  
**Project Name**  
**Associated Cases**

**Subdivision 2002S-235G-12**  
**Lenox Village 2, Sections 1A, 2, and 3**  
Barnes Cove (2000S-078G-12) and Addition to Sugar Valley (2001S-166G-12)

**Staff Reviewer**

Jones

**Staff Recommendation**

*Approve*

**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

Subdivide 14.83 acres into 54 lots using the Cluster Lot Option, and revise a portion of Barnes Cove preliminary plat (approved 4/13/2000) and a portion of Addition to Sugar Valley preliminary plat (approved 6/7/2001).

**ZONING**

RS10 district requiring minimum lot size of 10,000 square feet (maximum density of 3.7 units per acre).

**CLUSTER LOT**

Applicant proposes to utilize the Cluster Lot Option and reduce lots two base zoning districts, from RS10 (minimum 10,000 sq. ft. lot) to RS5 (minimum 5,000 sq. ft. lot).

**SUBDIVISION DETAILS**

**Lenox Village 2, Section 2**

The proposed preliminary plat and revisions will create a unified subdivision under the name "Lenox Village 2." Lenox Village 2 will provide a mixture of housing types, and will provide a transition from conventional suburban development into the Lenox Village traditional neighborhood development.

Creates 54 new lots. The proposed density is 3.6 units per acre. The proposed lots exceed the 5,000 square-foot minimum lot size requirement.

Three street connections are made to the north, and two street connections are made to the south.

A tributary of Mill Creek runs through the middle of the property. The tributary is being preserved within a buffer, and the stream and buffer are located within common open space. The hillside within the western portion of the property will be preserved as a backdrop for the neighborhood.



## Metro Planning Commission Meeting of 9/12/02

### Lenox Village 2, Section 1A

Staff recommends approval of the new preliminary subdivision plat.

Revises a portion of the approved Addition to Sugar Valley preliminary plat, and changes the name of the portion to “Lenox Village 2, Section 1A.” This revision closely resembles the approved preliminary plat.

One additional lot has been created with the revision. An additional street connection is made into Lenox Village 2, Section 2, and a street that crosses the tributary has been eliminated.

Staff feels that the revision is more environmentally sensitive than the approved preliminary plat by eliminating the stream crossing. The revision also increases street connectivity to adjacent parcels by providing an additional connection to Lenox Village 2, Section 2.

Staff recommends approval of the revision to the approved preliminary plat.

### Lenox Village 2, Section 3

Revises a portion of the approved Barnes Cove preliminary plat, and changes the name of the portion to “Lenox Village 2, Section 3.” The revision proposes to make significant changes to a portion of the approved preliminary plat. Staff supports the proposed changes.

The changes are as follows:

- Creates two additional lots;
- Eliminates a street crossing over the stream and buffer;
- Eliminates a cul-de-sac, and creates an additional connection to the Lenox Village traditional neighborhood development;
- Creates an additional connection to the property to the south;
- Eliminates lots backing up to the stream and buffer, thereby allowing greater access to the stream;
- Introduces narrow, alley-loaded lots that will provide a transition into the mixture of housing types offered within the Lenox Village traditional neighborhood development; and





## Metro Planning Commission Meeting of 9/12/02

- Preserves the hillside behind the alley-loaded lots as a backdrop for the neighborhood.

Staff recommends approval of the revision to the approved preliminary plat.

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**SUBDIVISION VARIANCES**

None

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**TRAFFIC ENGINEER'S FINDINGS**

None



**Project No.**  
**Project Name**  
**Associated Cases**  
**Staff Reviewer**

**Subdivision 98S-129U-10**  
**Baldwin Arbor, First Revision**  
None  
Leeman

**Staff Recommendation**

*Disapprove. There is no property hardship that would warrant a sidewalk variance or that would prevent the sidewalk from being installed.*

---

**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

This request is for a variance to the sidewalk provisions (Section 2-6.1) of the Subdivision Regulations to eliminate an unbuilt, 600-foot long sidewalk along the east side of Baldwin Arbor Road.

The Planning Commission approved the preliminary and final plats in 1998, including a 4-foot wide sidewalk and a 2-foot wide grass strip between the sidewalk and the curb—meeting the requirements of the Subdivision Regulations at that time.

---

**ZONING**

RS10 zoning

RS10 district allows single-family residential requiring minimum lot size of 10,000 square feet.

---

**SUBDIVISION VARIANCES**

**Sidewalks**  
(Section 2-6.1)

The applicant has requested a variance to the sidewalk regulations to avoid having to remove several mature trees, or to cause grading that would kill the trees.

Staff has agreed to a variance to eliminate the required 2-foot grass strip, allowing the sidewalk to be moved farther from the existing trees. This will require relocation of the existing irrigation facilities.



## Metro Planning Commission Meeting of 9/12/02

### **Metro Public Works Findings**

#### Existing Conditions

The sidewalk variance request is to exempt the sidewalk along the east side of Baldwin Arbor Road. Construction of this street including curb, gutter and drainage is complete. There is a gentle slope away from the roadway.

#### Sidewalk Construction

Pursuant to Chapter 13.20 of the Metro Code, the Department of Public Works regulates all work done in the right of way. Current construction standards are applicable. A detailed site survey and drainage study may reveal other items than those listed herein.

This street was built on a 40-foot wide right of way. Therefore it may not be possible to include the current standard four-foot grass strip without additional easement or right of way. A minimum two-foot grass strip would be required.

Five existing driveway ramps will require removal and reconstruction to be ADA compliant if sidewalks are added to this street. Four gas lights will require relocation, and possibly five trees will have to be removed.

#### **Staff Recommendation**

Staff recommends disapproval of the variance request for the following reasons:

- There is not an extraordinary hardship that is not self-created. The existing mailboxes, gas lights, monument sign, irrigation valves, driveways, and landscaping were installed after the final plat was approved showing a sidewalk.
- Grading for the street, lots and general site preparation has taken place around the trees that may have already damaged the root system.
- The road has already been constructed within the drip-line of the trees, possibly impacting the trees even without the sidewalk. It is standard practice to avoid development within the drip-line of a tree if intending to preserve the tree.
- This sidewalk, approved in 1998, will connect to an existing sidewalk on Hobbs Road, a major pedestrian link to the Green Hills commercial area.



**Project No.**  
**Project Name**  
**Associated Cases**  
**Deferral**

**Subdivision 2001S-141U-04**  
**Coats Industrial Subdivision**

None  
Applicant requested deferral of item at 8/22/02 MPC meeting.  
Mitchell

**Staff Reviewer**

**Staff Recommendation**

*Approve with conditions subject to a subdivision variance for sidewalks along Dickerson Pike and a revised plat prior to recordation.*

---

**APPLICANT REQUEST**

Preliminary Plat                       **Revise Preliminary & Final Plat**                       Final Plat

Subdivide a 14-acre tract into a 6-lot industrial subdivision, with lots ranging in size from 0.6 acres to 5.8 acres and located on the west side of Dickerson Pike south of Briley Parkway.

Applicant is requesting to revise the preliminary plat by 1) removing one lot, and 2) by removing the requirement to only allow access to lots 1 and 2 via the proposed West Maplewood Drive. Pursuant to discussions with Metro Public Works and both departments' concerns with safety at that intersection, staff does not support access to lots 1 and 2 via Dickerson Pike.

---

**ZONING**

CS district, which provides for a diverse range of commercial uses that include retail trade and consumer services, auto sales and repair, small-scale custom assembly, restaurants, entertainment and amusement establishments, and financial and administrative services.

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**SUBAREA 5 POLICY**

This subdivision falls within the Subarea 5 Policy's Retail Concentration Community (RCC) policy stating that it is recognized that this is a prime location for commercial development, and since this area is near the I-65 / Dickerson Pike interchange and abuts CMC policy, the potential exists for highway-oriented land uses to locate here.

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**SUBDIVISION DETAILS**

Proposal is consistent with the preliminary subdivision plat, approved by the Metro Planning Commission on May 10, 2001, which created a 7-lot industrial



## Metro Planning Commission Meeting of 9/12/02

subdivision with lot sizes ranging from 0.7 acres to 4.8 acres.

As a condition of approval for the preliminary subdivision plat, the applicant was required to coordinate with the Tennessee Department of Transportation (TDOT) and Metro Public Works and then provide for the installation of new traffic signals at the intersection of Dickerson Pike, West Maplewood Lane, and Maplewood Lane.

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### SUBDIVISION VARIANCES

#### Sidewalks

(Section 2-6.1)

Applicant is requesting a variance for the installation of sidewalks along Dickerson Pike. Since the applicant is creating a permanent dead-end roadway – West Maplewood Lane – sidewalks will be placed within this right-of-way and the request to vary from the sidewalk requirement along Dickerson Pike does not include West Maplewood Lane.

Metro Public Works Department conducted an analysis of the existing roadway and the request to vary from the sidewalk requirement. As stated in the report, this property lies along the west margin of Dickerson Pike. The road at this location has five lanes of pavement, no shoulder, and an open ditch. The ditch appears to be steep and is overgrown. There are no adjacent sidewalks. This stretch of Dickerson Pike is a state route; therefore, any alteration of the roadway, including curbs, sidewalks, and driveway connections will require additional coordination and approval by the Tennessee Department of Transportation. The applicant will be responsible for securing state approvals.

The applicant coordinated with TDOT and the following statement was provided: “Due to the nature of this industrial development and no adjacent residential development or sidewalks within one mile, TDOT will not require sidewalks on the state route fronting the Coats Industrial Park Development.”

#### Recommendation

Staff recommends approval of the requested subdivision variance to not place sidewalks along Dickerson Pike based upon the following information:



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- TDOT is not actively seeking sidewalks along this section of state roadway.
- This roadway is designated on the Major Street Plan as a 4-lane major arterial – of which this designation has been achieved.
- The ditch section fronting the subject site is such that a significant amount of fill would be required to bring the sidewalk, curb, and gutter even with the current level of the roadway.
- Staff recommends the preservation of an existing stone wall that would be destroyed upon the installation of a sidewalk.

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### TRAFFIC ENGINEER'S FINDINGS

Approval

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### CONDITIONS

Staff recommends conditional approval of this plat subject to a subdivision variance for sidewalks along Dickerson Pike and a revised plat being submitted prior to recordation:

1. Add the following note to plat: "Access to lots 1 and 2 shall be limited to West Maplewood Drive, and lots 3 and 4 shall share a 36-foot wide access unless otherwise approved by Metro Public Works and the Metro Planning Commission."
2. Add the following note to plat: "Existing stone wall along Dickerson Pike shall be preserved and protected from any future development."
3. A 2-foot reservation of right-of-way must be established along the entire frontage of Dickerson Pike and shown on the plat.
4. Sidewalks, proposed in accordance with current Metro Public Works design criteria, need to be placed on the plat along both sides of West Maplewood Lane.
5. Performance bonds must be posted to secure the satisfactory construction, installation, and dedication of all required public improvements.



**Project No.**  
**Project Name**  
**Associated Cases**  
**Staff Reviewer**

**Subdivision 2001S-298U-13**  
**Ransom Park Commercial, Revised**  
None  
Leeman

**Staff Recommendation**

*Disapprove sidewalk variance since there is no unusual property hardship that would prevent the sidewalk from being constructed.*

---

**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

This request is for a variance to the sidewalk provisions (Section 2-6.1) of the Subdivision Regulations to eliminate an unbuilt, 550-foot long sidewalk along the west side of Murfreesboro Pike.

The Planning Commission approved the preliminary and final plats in 2001, including a 5-foot wide sidewalk and a 4-foot wide grass strip between the sidewalk and the curb—meeting the requirements of the Subdivision Regulations.

---

**ZONING**

Shopping Center Community (SCC)

SCC district is intended for moderately intense retail, office, and consumer service uses for a wide market area.

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**SUBDIVISION VARIANCES**

**Sidewalks**  
(Section 2-6.1)

The Subdivision Regulations require a 5-foot wide public sidewalk with a 4-foot wide grass strip along the frontage of all public streets.

The applicant has requested a variance to the sidewalk regulations since there is a ditch along the frontage of the property, since this sidewalk will not connect to any existing sidewalks, and since the sidewalk would be torn out if TDOT widens Murfreesboro Pike in the future. Murfreesboro Pike is a U6 (6 lanes) on the Major Street Plan, while it currently has 5 lanes.

**Staff Recommendation**

Disapprove. A 550-foot section of sidewalk was shown on the preliminary and final PUD plan approved by the Planning Commission in 2001. There is no unusual



## Metro Planning Commission Meeting of 9/12/02

property hardship that would prevent this sidewalk from being constructed. Constructing the sidewalk on top of the existing ditch may require piping and catch basins according to Public Works. Public Works has also indicated that construction of this sidewalk would require additional grading along the section of Murfreesboro Pike that does not have curb and gutter.

Furthermore, a sidewalk has recently been built by Metro in the area north of this site on the east side of Murfreesboro Pike to connect to Una Elementary School.





**Project No.**  
**Project Name**  
**Associated Cases**  
**Staff Reviewer**

**Subdivision 2002S-211U-03**  
**Alpine Hills Subdivision, Section 1**  
None  
Hardison

**Staff Recommendation**

*Approve with conditions subject to a variance for sidewalks along Alpine Avenue and a revised final plat prior to recordation.*

---

**APPLICANT REQUEST**

Preliminary Plat       Preliminary & Final Plat       Final Plat

Subdivide 0.48 acres into two (2) lots.

---

**ZONING**

R10 district requiring a minimum lot size of 10,000 square feet.

---

**SUBDIVISION VARIANCES**

**Sidewalks**  
(Section 2-6.1)

A sidewalk is required along the frontage of lots 1 and 2 on Alpine Avenue. Currently there are no sidewalks along either side of Alpine Avenue. The applicant has requested a variance due to absences of sidewalks in this area and the amount of roadwork that would be required by Public Works standards to construct sidewalks in this location.

**Metro Public Works Findings**

Alpine Avenue at this location has 19 feet of pavement and no shoulder. There is no drainage ditch along the roadway. Alpine Avenue will require widening of 2 feet along the frontage of lots 1 and 2 to meet the minimum Metro Standard ST-251. Curb and gutter is also required along with drainage improvements.

**Recommendation**

Approve. A section of sidewalk approximately 198 feet in length will require major reconstruction of the roadway by the required widening and construction of the curb and gutter system for a relatively short section of sidewalk, which is inconsistent with good planning and design

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**TRAFFIC ENGINEER'S FINDINGS**

Approve.

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**CONDITIONS**

Staff recommends conditional approval subject to a variance for sidewalks along Alpine Avenue and a



## Metro Planning Commission Meeting of 9/12/02

revised final plat prior to recordation that shows the following:

1. The corresponding measurements for curve lengths C1, C2, and C3 along Alpine Avenue.
2. Correct note 9 to read "Any excavation, fill, or disturbance of the existing ground elevation must be done in accordance with Storm Water Management Ordinance No. 78-840 and approved by the Metropolitan Department of Water Services.
3. Add parcel numbers as per Metro Mapping assignment.
4. Add existing fire hydrant just north of the southern boundary of lot 1.
5. Submit an approved stamped NES copy of the plat.



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Cases**  
**Staff Reviewer**

**Planned Unit Development 36-76-G-14**  
**Belle Acres, Section 2, Phase 2**  
None  
None  
Leeman

**Staff Recommendation**

*Approve with conditions. The proposed final plan is consistent with the approved preliminary PUD plan. This plan will be conditioned upon the approval by the Metro Water Services Department of the grading plans.*

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**APPLICANT REQUEST**

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

**Existing Zoning**  
RS10/Res. PUD

This request is for final PUD approval to develop 46 multi-family units in Phase 2 of the townhome portion of the plan. The Planning Commission approved the same number of units on April 23, 2001, on a revised preliminary PUD plan. This plan is consistent with that plan. The final PUD plan includes the same building layout and greenway dedication along Mill Creek.

Preliminary PUD was approved on May 26, 1976, for 240 apartment units in Section 2 of the development. The plan has since been revised to include single-family and townhome units. Most recently, the plan was revised in 2001 to include 135 townhomes in Phase Two. The plan is grandfathered to permit multi-family units within the RS10 district, a single-family district.

---

**TRAFFIC**

The developer was required to construct a left-turn lane on Lebanon Road into the entrance.



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Cases**  
**Staff Reviewer**

**Planned Unit Development 87-84-U-13**  
**The Crossings**  
None  
None  
Leeman

**Staff Recommendation**

*Approve with conditions, including a variance to the Subdivision Regulations to reduce the required grass strip from 4 feet to 2 feet and a condition that a final plat is recorded prior to the issuance of any building permits.*

---

**APPLICANT REQUEST**

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

This request is to revise a portion of the preliminary plan and for final approval to permit a 10,129 square foot addition to the existing 15,500 square foot medical office building. This plan also redesigns an undeveloped portion of the plan to allow a 10,910 square foot medical office building, replacing an undeveloped 40,000 square foot commercial use.

The plan also proposes to shift the property line between the two buildings approximately 90 feet to the east to accommodate the addition to the medical office building.

---

**Existing Zoning**

RS10/Res. PUD

The preliminary PUD plan was originally approved by the Metro Council in 1987 and is partially developed. The plan was approved for a total of 1,685,176 square feet of commercial, restaurant, and retail uses.

**Subarea 13 Plan**

Regional Activity Center (RAC)

This proposal is consistent with the Subarea 13 Plan's Regional Activity Center (RAC) policy calling for a wide range of commercial, residential, and office uses associated with the Hickory Hollow Mall.

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**Subdivision Variance**

(Section 2-6.1)

The plan proposes to reduce the required four-foot grass strip between the curb and the sidewalk to two-feet in order to protect several existing trees beside Crossing Boulevard. Staff recommends approval of the variance



## Metro Planning Commission Meeting of 9/12/02

since this road was approved under the previous Zoning Code, which did not require sidewalks. Therefore, this new sidewalk has to be retrofitted to fit in with the landscaping that was approved on the original PUD plan.



**Project No.**  
**Project Name**  
**Council Bill**  
**Associated Cases**  
**Staff Reviewer**

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

**Staff Recommendation**

*Approve with conditions, including a condition that a final plat is recorded prior to the issuance of any building permits and Public Works must approve the final PUD plan prior to the Planning Commission meeting.*

---

**APPLICANT REQUEST**

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

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

Previous revisions have reduced the number of lots by 14, which allows for the additional 4 lots in Phase 5. The overall preliminary plan includes 350 single-family lots, replacing 354 lots. The Zoning Codes states minor changes to the plan that do not increase the total number of lots beyond what was originally approved by the Metro Council can be considered revisions.

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



## Metro Planning Commission Meeting of 9/12/02

**Existing Zoning**  
R20/Res. PUD

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



<b>Project No.</b>	<b>Mandatory Referral 2002M-087U-08</b>
<b>Project Name</b>	<b>Lease Renewal for Nashville Career Advancement Center – 621 Mainstream Dr.</b>
<b>Council Bill</b>	BL2002-1169
<b>Associated Case</b>	None
<b>Staff Reviewer</b>	Mitchell
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

An ordinance approving a lease agreement between Duke Realty Limited Partnership and the Metropolitan Government of Nashville and Davidson County, acting through the Nashville Career Advancement Center, for property located at 621 Mainstream Drive, commonly known as Corners II, for the renewal of 22,182 square feet of office space, as requested by the Director of Metro Public Property Administration.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.





<b>Project No.</b>	<b>Mandatory Referral 2002M-088U-13</b>
<b>Project Name</b>	<b>Luton Center Lease Agreement</b>
<b>Council Bill</b>	BL2002-1163
<b>Associated Case</b>	None
<b>Staff Reviewer</b>	Mitchell
<b>Staff Recommendation</b>	<i>Approve</i>

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**APPLICANT REQUEST**

An ordinance approving a lease agreement between the Metropolitan Nashville Airport Authority (MNA) and the Metropolitan Government of Nashville and Davidson County for property known as the Luton Center, located at the Nashville International Airport, in order to provide temporary space for the operation of an Emergency 911 Center, requested by the Director of Metro Public Property Administration.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.



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

**Mandatory Referral 2002M-089G-14**  
**Easement Reduction for 4009 Lake Parkway, Lake Park Subdivision, Sec. 1**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
None  
Mitchell

**Staff Recommendation**

*Approve*

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**APPLICANT REQUEST**

A request to abandon a portion of an existing Public Utility & Drainage Easement and retain a 10-foot wide portion of the existing Public Utility & Drainage Easement to run the entire length of the rear property line, 139.10 feet, for Project No. 02-SW-120, located at 4009 Lake Parkway, requested by the Department of Water and Sewerage Services, appellant, for Ernest J. Phipps, owner.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.



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

**Mandatory Referral 2002M-090U-09**  
**Abandon Various Portions of Rights-of-Way for Symphony Hall Site**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
2002S-245U-09  
Mitchell

**Staff Recommendation**

*Conditional Approval, subject to receiving approval from all reviewing agencies.*

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**APPLICATION REQUEST**

A request to abandon the following rights-of-way:

- Southeast corner of 4th Avenue South at Shelby Street;
- Northeast corner of 4th Avenue South at Demonbreun Street; and
- Southwest corner of 3rd Avenue South at Shelby Street,

Requested by Barge, Waggoner, Sumner & Cannon, Inc., appellant, for Metropolitan Government, owner. Easements and utilities associated with these rights-of-way are requested to be abandoned and relocated at the applicant's expense.

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**APPLICATION REQUIREMENTS**

**Signatures of All Abutting & Affected Property Owners**

No – None required. No abutting properties since this site encompasses entire block and property owned by Metropolitan Government of Nashville & Davidson County.

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**DEPARTMENT AND AGENCY COMMENTS**

Staff received a call from Nashville Electric Service (NES) expressing concerns over the abandonment of the block corners relative to existing power poles. Staff is expected to receive final word on this matter prior to the Planning Commission meeting.

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**RECOMMENDATION**

Staff recommends approval contingent on receiving approval from all reviewing agencies.



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

**Mandatory Referral 2002M-091U-09**  
**Abandon Public Utility Easements for**  
**Symphony Hall Site**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

None  
2002S-245U-09  
Mitchell

**Staff Recommendation**

*Conditional Approval, subject to receiving approval from all reviewing agencies.*

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**APPLICANT REQUEST**

A request to abandon a 57-foot Public Utility Easement along the north property line (within the former McGavock Street R.O.W.) and a 20-foot Sewer Easement running from the north property line southeast to the corner of 3rd Avenue South and Demonbreun Street, both located within parcel 62 on the site of the future Symphony Hall, requested by Barge, Waggoner, Sumner & Cannon, Inc., appellant, for Metropolitan Government, owner.

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**APPLICATION REQUIREMENTS**

**Signatures of All Abutting & Affected Property Owners**

No – None required. No abutting properties since this site encompasses entire block and property owned by Metropolitan Government of Nashville & Davidson County.

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**DEPARTMENT AND AGENCY COMMENTS**

Metro Water Services is discussing this application request internally, and staff is expected to receive final word on this matter prior to the Planning Commission meeting.

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**RECOMMENDATION**

Staff recommends approval contingent on receiving approval from all reviewing agencies.



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

**Mandatory Referral 2002M-092G-06**  
**Metro Government / JDN Realty / Wal-Mart**  
**Easement Agreement**

**Council Bill**  
**Associated Case**  
**Staff Reviewer**

Yet to be filed  
None  
Mitchell

**Staff Recommendation**

*Approve*

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**APPLICATION REQUEST**

An ordinance approving an agreement between the Metropolitan Government of Nashville and Davidson County, JDN Realty Corporation, and Wal-Mart Real Estate Business Trust for the establishment of access, drainage, and maintenance rights relating to the donation of a parcel of property to the Metropolitan Government for use as part of the Park & Greenway System, located north of Charlotte Pike and River Road and south of the Cumberland River.

Pursuant to Ordinance BL2001-691, JDN Realty Corporation donated a parcel of property, adjacent to the existing Lowe's Home Improvement and Wal-Mart Supercenter, for use as part of the Park & Greenway System.

The agreement establishes that JDN Realty and Wal-Mart propose to grant to Metro Government a permanent access easement to the donated property; and in return, Metro Government proposes to grant to JDN Realty and Wal-Mart an access and drainage easement.

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**APPLICATION REQUIREMENTS**

None

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**DEPARTMENT AND AGENCY COMMENTS**

None

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**RECOMMENDATION**

All reviewing departments and agencies recommend approval.