



**METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON COUNTY**

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

**Minutes
Of the
Metropolitan Planning Commission
September 23, 2004**

PLANNING COMMISSION:

James Lawson, Chairman
Doug Small, Vice Chairman
Tonya Jones
Ann Nielson
Victor Tyler
James McLean
Phil Ponder, representing Mayor Bill Purcell

Staff Present:

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

Commission Members Absent:

Councilmember J.B. Loring
Judy Cummings
Stewart Clifton

I. CALL TO ORDER

The meeting was called to order at 4:04 p.m.

II. ADOPTION OF AGENDA

Ms. Hammond announced that there was an addendum to the Agenda. It is item #48 -- Contract between Metro and Regional Transportation Authority (RTA) for commuter rail planning services.

Ms. Nielson moved, and Mr. McLean seconded the motion, which passed unanimously to approve the agenda as presented. (7-0)

III. APPROVAL OF SEPTEMBER 9, 2004 MINUTES

Mr. Ponder moved and Ms. Jones seconded the motion, which passed unanimously to approve the September 9, 2004 minutes. (7-0)

IV. RECOGNITION OF COUNCILMEMBERS

Councilmember Isabel requested that Item #21 – 2004S-204U-05 Maple Manor be deferred. He would like additional time to meet with the developer and community to resolve some of the issues expressed by his constituents regarding the proposal. He stated that the developer was not in favor of deferring this item. Councilmember Isabel also mentioned Item #17 – 2004Z-126U-03. He supports staff’s recommendation to disapprove.

Councilmember White mentioned Items #2004Z-84G-14, 2004P-025G-14, and 2004Z-124G-14. He stated that the developer has requested that these items be deferred indefinitely.

Councilmember Gotto stated that he would address the Commission after his items were presented.

Councilmember Toler stated that he had several items on the agenda and will address the Commission once they are presented.

Councilmember Coleman spoke regarding Item #6 – 2004Z-120G-12. He requested the Commission carefully review the impacts the project would have on school capacities and traffic. He also requested the Commissioners review the authenticity of a Geotechnical report submitted on Swirl Canyon Cave.

Councilmember Dread spoke regarding Item #45 – Subdivision Regulation Amendment. He complimented the staff and thanked various departments for their involvement of this legislation amendment.

Councilmember McClendon spoke regarding Items #19 and 20 (2004Z-128U-11 and 97P-005U-11). She spoke in favor of the proposed development.

Councilmember Greer spoke in favor of Item #18 – 2004Z-127U-10 and Item #27 – 89P-022U-10.

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

1. 2004Z-085G-13 Request to change from AR2a to RM6 district at Old Hickory Blvd (unnumbered) (Request to defer INDEFINITELY)
2. 2004Z-109-G-12 Request to change from AR2a to MUL district at 7022Nolensville Pike (Request to defer to October 14, 2004)
11. 2004Z-084G-14 Change from AR2a to RS10 district portion of property located at 1176 Stone’s River Road – Deferred indefinitely at the request of the applicant
12. 2004Z-124G-14 Change from AR2a and RM20 to MUL district at 1014 and 1015 Stones River Road – Deferred indefinitely at the request of the applicant
13. 2004P-025G-14 Ravenwood Community- Request for preliminary plat approval to permit 301 single-family lots – Deferred indefinitely at the request of the applicant
24. 2004S-263G-13 Author Harris Subdivision – Request for final plat approval to create two lots abutting the north margin of Hamilton Church Road, approximately 1400 feet east of Mt. View Road – Deferred indefinitely at the request of the applicant
25. 2004S-267U-07 West Meade Village, Section C-1, Resubdivision of Lot 8- Request for final plat approval to create two lots located on Hamilton Church Road (Request to defer to October 28, 2004)
38. 2004M-092U-08 Request to close an unbuilt 200-foot portion of 31st Ave. (Request to defer to October 14, 2004)

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the Deferred and Withdrawn items. **(7-0)**

VI. General Plan Amendments

A. Southeast Community Plan – Amendment

Staff Recommendation - *Approve with proposed special policy language*

APPLICANT REQUEST - Change the land use policy from Residential Medium Density (RM) to Mixed Use (MU) policy for 3.76 acres at 5606 Cloverland Drive, Old Hickory Boulevard (unnumbered), and 675 Old Hickory Boulevard.

Existing Land Use Policy

Residential Medium Density (RM) - RM is intended for residential development at densities between 4 and 9 dwelling units per acre.

Proposed Land Use Policy

Mixed Use (MU) - Mixed Use is intended for a mixture of residential, retail, and office uses.

ANALYSIS - Staff recommends approval of this amendment under the condition that the area be covered by a special policy that would limit the mixture of uses to residential and small offices and limit the residential density to 6 dwelling units per acre, which is consistent with the density of adjacent development. This density limitation was the result of community meetings held in 2000, in connection with a plan amendment to the 1996, plan update.

A mixture of small offices and medium density residential uses is appropriate at this location, which has direct access to a major arterial street and is directly across the street from an office development and adjacent to medium-density residential development. Staff is satisfied that the design controls instituted through the Planned Unit Development associated with this requested policy change will ensure the compatibility of this small development with adjacent residential. The presence, age, and character of the surrounding development, which is recently constructed medium density residential development to the west and recently constructed low-medium density residential development designed for an arterial environment to the east, should effectively confine the mixed residential and office development to a small area.

Map 160, Parcel 82 (1.21 acres), which adjoins the subject property, should be incorporated into the amendment and also covered by the special policy language. This parcel could then be developed either as a mixture of residential and small offices or as purely residential.

Proposed Special Policy Language - Special Policy Area 10

The mixture of uses within this special policy area shall be confined to small scale offices and medium density residential development at a density no higher than six dwelling units per acre. Development may be a combination of office and residential or residential only, but shall not be office only. The floor area ratio of office development within this special policy area shall be no higher than 0.20. This is to help ensure compatibility with adjoining residential development while recognizing the suitability of this location for office as well as residential use. Development in this area shall be subject to a Planned Unit or Urban Design Overlay District to ensure that it meets the intent of this special policy.

Ms. Woods presented the Southeast Community Plan Amendment and stated that staff is recommending approval with the condition of the special policy language.

Mr. Leeman presented and stated that staff is recommending approval of Zone Change 2004Z-066U-12 as well as approval with conditions on the Planned Unit Development 2004P-021U-12.

Mr. John Hall, 925 Brenton Park Court, expressed opposition to the proposed rezoning and its compatibility to the existing area.

Mr. Steve Diggs, 5621 Cloverland Drive spoke in favor of the proposed zone change and planned unit development.

Mr. Small moved and Ms. Jones seconded the motion, which passed unanimously to approve the Amendment to the Southeast Community Plan, approval of Zone Change 2004Z-066U-12 as well as approval with conditions on the Planned Unit Development 2004P-021U-12. **(7-0)**

[Note: See items #9 and #20 for actions and resolutions regarding Zone Change 2004Z-066U-12 and Planned Unit Development 2004P-021U-12.]

Resolution No. 2004 –319

“BE IT RESOLVED by the Metropolitan Planning Commission that the Southeast Community Plan-Amendment was **APPROVED. (7-0)**”

B. Donelson Community Plan-Update

Staff Recommendation - *Approve*

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

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

Highlights - Important goals of the plan include:

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

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

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

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

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

Several transportation improvements are also recommended in the plan – mainly aimed at balancing the need for roadway improvements with demand for alternative modes, such as greenways and bikeways.

New street connections to serve the growing community are a critical part of the plan, the majority of which will be provided through the private sector as new development takes place.

Staff is recommending that the final draft plan be adopted.

Ms. McCaig presented and stated that staff is recommending approval. Ms. McCaig explained that due to the late "Notice of Public Hearing" she would be presenting the Donelson Community Plan update today, and asked the Commission to refrain from voting on the issue until their meeting on October 14, 2004, thus allowing time for the public notice to be advertised.

Councilmember White commended the Planning staff for their work on the Donelson Community Plan update. He spoke in favor of the Plan update.

Ms. Sherry Kuykendall-Fey, 1410 Clarke St., mentioned two plan amendments and wanted to confirm their existence in the plan.

Mr. David McGowan, expressed interests on Map 64, Parcel 21. He requested this land be zoned for neighborhood general.

Mr. William Donelson, 6320 Holly Trace Way, requested "neighborhood general" for Map 64, parcel 21.

Councilmember Gotto complimented the staff for their participation in this plan update. He mentioned in particular, their assistance in working with the commercial districts included in the plan. He spoke in favor of the plan update.

Mr. Bruce Stanley, 3211 Downeymeade Court, spoke in favor of the plan.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to defer any action on the Donelson Community Plan Update until October 14, 2004 and to keep the Public Hearing open until this time. (7-0)

Mr Bernhardt announced that the information pertaining to this plan update will be presented to the Commission at their next meeting on October 14, 2004.

The Metropolitan Planning Commission will continue this discussion at the October 14, 2004 meeting. (7-0)

VII. PUBLIC HEARING: CONSENT AGENDA

FINAL PLATS

22. 2004S-268G-04 Pridemore Subdivision - Request for preliminary plat approval for 5 lots abutting the south margin of Hudson Road, approximately 700 feet east of Neelys Bend Road – Approve with conditions
23. 2004S-260G-01 Winters Subdivision – Request for final approval to create five lots abutting the north margin of Morgan Road - Approve

PLANNED UNIT DEVELOPMENTS

26. 126-78-U-14 Lakeshore Estates – Request for final PUD approval for a portion of the Residential PUD located at Fernbrook Lane - Approve w/conditions
27. 89P-022U-10 Melrose PUD – Request to revise a portion of the preliminary plan for final approval for a portion of the commercial PUD located at Gale Lane- Approve w/conditions

MANDATORY REFERRALS

29. 2004M-024U-09 Request for an aerial encroachment at 166 7th Avenue - Approve
31. 2004M-082U-13 Rename a section of Anderson Road between Anderson Road and New Smith Springs Road- Approve
32. 2004M-084U-05 Easement Acquisition at 1100 Kirkland Avenue - Approve

33. 2004M-085U-10 Easement Acquisition at 2021 24th Avenue South - Approve
34. 2004M-086U-08 Easement on the west side of 18th Avenue South - Approve
35. 2004M-087G-12 Easement Acquisition at 6605, 6609, 6613, 6617, 6621, 6625 Christiansted Lane - Approve
36. 2004M-088G-06 Easement Acquisition at 8116 Highway 100 - Approve
37. 2004M-089U-12 Property Acquisition at the corner of Edmonson Pike and Nolensville Pike - Approve w/conditions
39. 2004M-094U-10 Easement Abandonment at Gale Lane - Approve

OTHER BUSINESS

40. Contract Renewals for Ryan Latimer, Robert Leeman and Anita McCaig - Approve
41. Extension of contract between Metro and Wilbur Smith Associates for the Regional Freight and Goods Movement Study: Phase I" - Approve
42. Technical Assistance Contract between Metro Planning Commission (on behalf of the Metro Planning Organization) and the City of Lebanon for planning services" - Approve
43. Technical Assistance Contract between Metro Planning Commission (on behalf of the Metro Planning Organization) and the City of Hendersonville for planning services" - Approve
1. Technical Assistance Contract between Metro Planning Commission (on behalf of the Metro Planning Organization) and the Greater Nashville Regional Council for planning services" – Approve

ADDENDUM

48. Contract between Metro and Regional Transportation Authority (RTA) for commuter rail planning services – Approve

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously to approve the consent agenda. (7-0)

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

ZONING MAP AMENDMENTS

1. **2004Z-085G-13**
Map 175, Parcel 16
Subarea 13 (2003)
District 32 (Coleman)

A request to change from AR2a to RM6 district property at Old Hickory Boulevard (unnumbered), approximately 1,650 feet north of Logistics Way, (60.41 acres), requested by Joe McConnell, MEC, Inc., for Luther Marie Vaughn, owner.

The Metropolitan Planning Commission DEFERRED Zone Change 2004Z-085G-13 indefinitely at the request of the applicant. (7-0)

2. **2004Z-109G-12**
Map 186, Parcel 14.01
Subarea 12 (2004)
District 31 (Toler)

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

The Metropolitan Planning Commission DEFERRED Zone Change 2004Z-109G-12 to October 14, 2004 at the request of the applicant. (7-0)

3. **2004Z-110U-08**
Map 81-08, Parcel 418,419

Subarea 8 (2002)
District 19 (Wallace)

A request to change from R6 to MUN district at 600 Garfield Street and 1707 6th Avenue North, (0.59 acres), requested by Rodney Harris, applicant for TOP Development, owner.

Staff Recommendation - *Approve*

APPLICANT REQUEST - Rezone 0.59 acres from residential (R6) to mixed-use neighborhood (MUN) district at 1707 6th Avenue North.

Existing Zoning

R6 district - R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots. The R6 district allows approximately 5 dwelling units currently.

Proposed Zoning

MUN district - Mixed Use Neighborhood is intended for a low intensity mixture of residential, retail, and office uses. This MUN district would allow for approximately 26 dwelling units.

SUBAREA 8 PLAN POLICY - SALEMTOWN DETAILED NEIGHBORHOOD DESIGN PLAN

Mixed Use in Neighborhood Center (MxU in NC) - MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. NC is intended for small, intense areas that may contain multiple functions and are intended to act as local centers of activity. Ideally, a mixed use in neighborhood center area is a "walk-to" area within a five minute walk of the surrounding neighborhood it serves. Appropriate uses include single- and multi-family residential, public benefit activities, open space, and small scale office and commercial uses.

Policy Conflict - The proposed MUN zoning district is consistent with the MxU in NC policy called for in the Salemtown Detailed Neighborhood Design Plan. The MUN district allows for residential, office, and commercial uses at a neighborhood scale which would be consistent with the intent of the policy called for in the Detailed Neighborhood Design Plan.

At the August 26, 2004, meeting, the Planning Commission suggested that staff review the detailed neighborhood design plan (DNDP) to insure that the proposed rezoning is consistent with the design standards of the DNDP. A site plan has been submitted showing six single-family homes along Garfield and two along 6th Avenue. Access is provided to the rear of the structures and the homes are near the street. A parking area is shown off of the alley with landscaping between the homes and the parking area. Therefore, the site plan is consistent with the Salemtown DNDP calling for single-family detached housing.

RECENT REZONINGS - None.

TRAFFIC - A Traffic Impact Study may be required at development.

Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.59	6.18	4	39	3	5

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station w/Convenience Market ()	0.59	.067	1,722	NA	134	166

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--					131	161

Maximum Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.59	6.18	4	39	3	5

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
OFFICE PARK (750)	0.59	0.60	15,420	570	46	125

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

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				531	43	120

METRO SCHOOL BOARD REPORT

Projected student generation* 2 Elementary 1 Middle 1 High

Schools Over/Under Capacity - Students would attend Brookmeade Elementary School, Hill Middle School, or Hillwood High School. Hill has been identified as being over capacity by the Metro School Board. There is capacity at a another middle school within the cluster. There is not capacity at a middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.

*The numbers for MUN zoning are based upon students that would be generated if the MUN zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,000 sq.ft. of floor area.

Planned School Capital Improvements

Location	Project	Projected Date
Brookmeade Elementary School	Renovations	FY07-08
Hillwood High School	Renovations	FY07-08

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

Mr. Rodney Harris, 1314 6th Avenue North, spoke in favor of the proposal.

Mr. McLean moved and Ms. Nielson seconded the motion, which passed unanimously to approve Zone Change 2004Z-110U-08. (7-0)

Resolution No. 2004 –320

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-110U-08 is **APPROVED**. (7-0)

The proposed MUN district is consistent with the Subarea 8 Plan’s Salemtown Detailed Neighborhood Design Plan’s Mixed Use in Neighborhood Center (MxU in NC) policy. A site plan was submitted that proposes eight single-family homes that are near the street and provide rear access from the alley. The use and layout of the site plan conforms with the intent of the policy called for in this area.”

4. **2004Z-119G-12**
Map 172, Parcels 150, 154
Subarea 12 (2004)
District 31 (Toler)

A request to change from R20 to RS15 district at 251 Holt Hills Road and Holt Hills Road (unnumbered), located at the eastern terminus of Christiansted Lane and Palomar Court, (20 acres), requested by Lose & Associates, Inc., applicant for Turnberry Homes, LLC, owner(Deferred from September 9, 2004)

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 20 acres from residential (R20) to residential (RS15) as part of a requested new Planned Unit Development. The property is located at the east end of Palomar Court and Christiansted Lane.

Existing Zoning

R20 district - R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots. The R20 district permits 37 lots or 46 units with 25% duplex.

Proposed Zoning

RS15 district - RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre. The RS15 district permits a maximum of 49 lots.

SOUTHEAST COMMUNITY PLAN

Residential Low-Medium (RLM) - RLM policy should be applied to existing conventional suburban residential areas developed at densities of two to four dwelling units per acre and to underdeveloped and undeveloped areas suitable for development in that density range. Generally, local and collector roads provide RLM areas with adequate capacity for internal circulation and access to the major street system.

Special Consideration - Because of connectivity and infrastructure concerns associated with this area in particular, the Planning Commission required that special consideration be given to this and one other area within the newly-adopted Southeast Community Plan. The special consideration that should be given includes traffic calming devices or other measures to prevent a high-speed cut-through while still providing for the necessary connection with any development of this property. The associated PUD provides a connection from this property towards Bradford Hills Drive, but does so without creating a straight cut-through.

District 31 (Toler)

A request for preliminary approval for a Planned Unit Development district located at 251 Holt Hills Road and Holt Hills Road (unnumbered), at the terminus of Palomar Court and Christiansted Lane, classified R20 and proposed for RS15, (20 acres), to permit 49 single-family lots, requested by Ralph Gallant, Et ux, and Lose and Associates, Inc., applicant. (See Zone Change No. 2004Z-119G-12) (Deferred from September 9, 2004)

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Preliminary PUD

Request to adopt a preliminary Planned Unit Development to allow for 49 single-family lots on 20 acres. The property is located east end of Palomar Court and Christiansted Lane.

PLAN DETAILS

Site Design & Access - The plan proposes 49 single-family lots that will be provided along an extension of Palomar Court and Christiansted Lane. The plan provides circuitous connectivity to the easternmost property line at the Holt Hills Road private roadway easement as is called for in the Subarea Plan to provide for non-direct connectivity of streets that will provide for traffic calming. These roadways, designated as a local streets with 50 feet of right-of-way, are planned to eventually provide a necessary connection to Bradford Hills Drive. Palomar Court will be permanently dead-ended into this subdivision by way of a new cul-de-sac. The other two cul-de-sacs, designated at minor local streets with 46 feet of right-of-way, will extend south off of the Christiansted Lane extension and a new local street that extends south of off the Christiansted Lane extension. Sidewalks are being provided along both sides of all new streets.

Environmental - here are hillside / slope constraints associated with this subdivision proposal. The applicant is using the cluster option to reduce lot sizes so as to avoid areas of slope that exceed 25%.

Subarea Plan Special Consideration

Traffic Calming - As part of the Southeast Community Plan update, the Planning Commission required that "special consideration" be given to this area with regards to traffic improvements and street connectivity. The PUD plan has been revised since the September 9, 2004, meeting so that there is not ultimately a straight and unbroken "cut-through" street from the existing Christiansted Lane towards Bradford Hills Drive. Based on the special consideration required in the Southeast Community Plan, staff recommends that the Commission approve this plan since the plan provides connectivity that is not a straight and un-broken cut-through.

ZONING & LAND USE POLICY

R20 to RS15 - This request for preliminary PUD approval is associated with a zone change request to change from R20 to RS15, which will allow for the development of the 49 single-family lots.

Southeast Community Plan

RLM Land Use Policy - The proposed density for the subdivision is 2.45 lots per acre. The RLM policy supports this density and the proposed development pattern.

METRO PUBLIC WORKS' RECOMMENDATION - Detailed comments were provided by Metro Public Works and adequately addressed by the applicant's representative.

CONDITIONS

If the Commission recommends approval of this PUD, then the following conditions should be included in the recommendation:

1. A Tree Preservation / Removal and Grading Boundary Plan (24x36) must be submitted prior to, or in conjunction with, the submittal of the Final PUD application.

2. This preliminary 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.

Mr. Leeman presented and stated that staff is recommending approval of Zone Change 2004Z-119G-12 as well as approval with conditions on the Planned Unit Development 2004P-024G-12.

Ms. Hajnalka Klieman, 1600 Roundhill Drive, presented a petition with signatures of opposition to the Commission.

Mr. Bruce Wood, 1285 4th Avenue South, spoke in opposition to the proposal.

Ms. Joanne Bjordahl, 6112 Bradford Hills Drive spoke in opposition to the proposal.

Ms. Sharon Force, 280 Holt Hill Road spoke in opposition to the proposal. She submitted a petition containing signatures of opposition to the development, as well as additional written correspondence regarding the zone change.

Mr. David Code, Lose & Associates, spoke in favor of the development.

Councilmember Toler spoke of the issues and concerns that were mentioned by the community members affected by this proposal. He agreed that due to the absence of sidewalks in the Bradford Hills subdivision and the additional traffic generated by this development, that Bradford Hills Drive should not be connected to Christiansted Lane.

Mr. Ponder spoke in favor of the proposal.

Mr. Tyler requested clarification on whether Holt Hill Road was considered a private or public road and the specifics of its connectivity within the development.

Mr. Bernhardt clarified the stub streets contained in the proposal and their connectivity within the proposal.

Ms. Nielson agreed that the issue of stub streets and their connectivity to the surrounding communities has been appropriately addressed by the staff.

Mr. Ponder moved and Mr. McLean seconded the motion, which passed unanimously to approve Zone Change 2004Z-119G-12 as well as approval with conditions on the Planned Unit Development 2004P-024G-12. (7-0)

Resolution No. 2004 –321

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-119G-12 is **APPROVED**. (7-0)

The proposed RS15 district is consistent with the Southeast Community Plan’s Residential Low Medium (RLM) policy intended for residential development with a density of two to four dwelling units per acre. The associated PUD plan proposes a density of 2.45 lots per acre and addresses connectivity issues while attempting to prevent a straight “cut-through” in the area. The density and development pattern of the proposed PUD are consistent with the RLM policy.”

Resolution No. 2004 –322

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004P-024G-12 is **APPROVED WITH CONDITIONS**. (7-0)

Conditions of Approval:

1. A Tree Preservation / Removal and Grading Boundary Plan (24x36) must be submitted prior to, or in conjunction with, the submittal of the Final PUD application.
2. This preliminary 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.

- 6. 2004Z-120G-12**
Map 182, Parcels 141, 142, 174, 008, 120, and part of 191
Subarea 12 (2004)
District 32 (Coleman)

A request to change from AR2a to RS10 district at 5917, 5937, 5943, 5869 Pettus Road and Pettus Road (unnumbered), located 1,500 feet north of Old Hickory Boulevard, (59.15 acres), requested by Anderson-Delk & Associates, Inc., applicant, for SAF Properties, Thelma Clark, and Charles and Martha Dornan, owners.

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

Mr. Tom White, attorney, spoke in favor of the proposal

Mr. Mike Jones, 5923 Pettus Road, spoke in opposition to the proposal.

Mr. Steve Abernathy, 5929 Pettus Road, spoke in support of the proposal.

Councilmember Coleman expressed concerns regarding the roads and the schools that would be affected by this proposal. He requested that the Commission defer this item to allow additional time to further review of the issues concerning density, road conditions, impacts on the school systems and the affects the proposal would have on Swirl Canyon Cave which is located in this area.

Ms. Jones expressed concerns regarding the open issues included in the report.

Mr. Small requested further clarification on the Geotechnical Study that was submitted to staff.

Mr. Kleinfelter explained the information staff had regarding the Geotechnical Study.

Mr. Small expressed concerns regarding condition #2 – improvements to Pettus Road. He stated the developer should make the improvements where the project would intersect. He also stated that due to the number of additional students this proposal would generate, he suggested that the developer be asked to donate the required land for additional schools for the area.

Mr. McLean suggested that the Commission delay their decisions regarding road improvements until the traffic impact study could be submitted.

Mr. Tyler expressed concerns regarding the transportation deficiencies included in the proposal. He suggested the possibility of changing the rezoning to RS15 or greater to lower the density of the proposal.

Mr. Ponder expressed concerns regarding the overcrowded schools, road deficiencies and the Swirl Canyon Cave all of which are impacted by the proposed zone change.

Mr. Ponder moved and Ms. Nielson seconded the motion to defer Zone Change 2004Z-120G-12 until October 28, 2004 and recommended that personnel from Geotechnical Studies be present to address questions the Commissioners may have on Swirl Canyon Cave; recommended that a School Board member be present to address questions regarding the school site dedication and building program; recommended

that staff provide an additional report on the different impacts between RS10 and RS15 zoning and their affects to this area; as well as obtain additional information from Public Works regarding road deficiencies.

The Metropolitan Planning Commission DEFERRED this item to the October 28, 2004 meeting, and requested staff follow-up on different impacts between RS10 and RS15, Public Works relating to road conditions, School site dedication and building program from School Board, and geotechnical study follow-up.

The Commission recessed at 5:50 p.m.

The Commission resumed at 6:10 p.m.

PRELIMINARY SUBDIVISION PLATS

7. **2004S-250G-14**
Tulip Reserve
Map 086, Parcel 43
Subarea 14 (1996)
District 12 (Gotto)

A request for preliminary plat approval for 24 lots abutting the northwest corner of Old Lebanon Dirst Road and Tulip Grove Road (9.93 acres), classified within the RS15 District, requested by John N. Brasel, owner, Barge, Waggoner, Sumner & Cannon, surveyor.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST -Preliminary PlatSubdivide 9.93 acres into 24 lots at the northwest corner of Old Lebanon Dirt Road and Tulip Grove Road.

ZONING

RS15 District - RS15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.47 dwelling units per acre.

CLUSTER LOT OPTION - The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of RS15 (minimum 15,000 sq. ft. lots) to RS7.5 size lots (minimum 7,500 sq. ft. lots). The cluster lot option does not allow additional density, however.

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

SUBDIVISION DETAILS - The plan proposes access from Old Lebanon Dirt Road with a stub street to the adjacent property to the west. Sidewalks are provided within the subdivision and along both Tulip Grove and Old Lebanon Dirt Roads.

CONDITIONS *Per Metro Public Works' requirements:*

1. Submit site distance documentation for the site access at Old Lebanon Dirt Road intersection.
2. Final plat must show right-of-way dedication along Tulip Grove Road and Old Lebanon Dirt Road to U4 standards (84 feet of ROW).

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

Councilmember Gotto explained that a community meeting was held to address the issues and concerns the residents had regarding this proposal. He stated that most of the issues were addressed by the developer

except for the issue of water drainage. He indicated that the engineers and developers have agreed to work with the Storm Water department and the community to find a workable situation for this development.

Mr. Lonnie Stevens, 918 Tulip Grove, submitted photos for the Commission to review and expressed opposition to the development due to stormwater issues. Mr. Stevens did not leave the photos for the record.

Mr. Bill Lockwood, Barge Wagner, Sumner & Cannon, spoke in favor of development.

Ms. Debra Driscoll, 932 Tulip Grove Road, spoke in opposition to the development.

Mr. Ponder spoke in favor of the proposal. He stated that this proposal could be considered an opportunity to address the water drainage issue.

Mr. Tyler requested additional clarification on traffic issues included in the proposal.

Mr. McLean spoke in favor of the proposal.

Ms. Nielson suggested adding a condition to an approved motion to maximize water retention for this proposal.

Mr. Small requested clarification on any safety margins that were used to calculate the stormwater management portion of the proposal. Mr. Small suggested that the motion also contain the condition to prohibit the issuances of the grading permit until all the stormwater management issues have been resolved. Mr. Small also suggested that when this planned unit development returns for final approval, he would like a member of Water Services be in attendance to address the issues regarding stormwater.

Ms. Jones supported the added conditions suggested by Mr. Small.

Mr. Ponder moved and Mr. McLean seconded the motion, which passed unanimously to approve preliminary plat 2004S-250G-14 with the condition that a water study be completed and submitted, and that no grading permit be issued until the final plat is approved, and to have a member from Water Services be present at the meeting when the final plat is presented to the Commission. **(7-0)**

Resolution No. 2004 –323

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-250G-14 is **APPROVED WITH CONDITIONS, INCLUDING A STORMWATER STUDY AND NO GRADING UNTIL FINAL PLAT. Final plat will not be administrative. (7-0)”**

**IX. PUBLIC HEARING
ZONING MAP AMENDMENTS**

8. 2004Z-019T

A Council Bill to amend Title 17 of the Metropolitan Code, zoning regulations, by amending Section 17.40.470 to exempt residential property from the requirement of obtaining a tree removal permit and submitting a disposal plan.

Staff Recommendation - *Disapprove*

APPLICANT REQUEST - Amend Zoning Code to exempt residential property from the requirement of obtaining a tree removal permit and submitting a disposal plan.

APPLICATION DETAILS - The Council recently adopted two bills addressing permitting requirements for tree removal. One bill amended the Urban Forester section of the Metro Code (Chapter 2.104) to require a permit for removal of all trees, including those on private property. Previously, the Metro Code had only required a permit for removal of “public trees” and for the protection of public utility distribution lines.

The other bill recently enacted changed two provisions in Section 17.40.470 of the Code. The bill added language to extend the tree permit requirements to commercial tree services and added a provision to require each applicant for a tree removal permit to include a plan for disposal of the tree.

Under the current Metro Code, therefore, “any person” seeking a tree removal permit, including commercial tree services, is now required to obtain a tree removal permit before performing any tree trimming or removal.

The new ordinance, BL2004-371, amends the tree removal permit section of the Code to delete the words “and/or residential” property. The effect of the bill is that owners of residential property, and commercial tree services doing work on residential property, would no longer be required to obtain a tree removal permit. A plan for disposal of the tree also would not be required for work done by property owners or commercial tree services on residential property.

Staff Recommendation - Staff recommends disapproval of this text change because the recently adopted legislation requiring a plan for disposal of trees removed from property is expected to help prevent such materials from being left in the public right-of-way and added to the workload for the Metro chipper service. Staff recommends that the legislation be amended to allow property owners to trim or remove trees without a permit. Commercial services should continue to be required to obtain a permit for their activities, whether on commercial or residential property.

Mr. Kleinfelter presented and stated that staff is recommending disapproval.

Councilmember Gotto spoke in favor of this council bill. He explained that a private owner should have the right to cut down a tree without obtaining a permit.

Mr. Lawson requested additional clarification on the required permits for public utility companies while attending to trees on private property.

Councilmember Gotto stated that NES contracts out tree trimming to subcontractors who are required to obtain a permit before tree trimming.

Ms. Jones expressed concerns regarding the administrative issues associated with permitting in general.

Mr. Small requested clarification on the specifics of the proposed text amendment.

Mr. McLean requested clarification on the specifics of the proposed text amendment.

Councilmember Gotto explained the intention of Council and this proposed text amendment.

Mr. Ponder asked for clarification on the technicality of tree trimming without a permit.

A brief discussion ensued among the Commissioners regarding the text amendment.

Mr. Small moved, and Mr. Ponder seconded the motion, which passed unanimously to approve text amendment 2004Z-019T. **(7-0)**

9. **2004Z-066U-12**
Map 160, Parcels 81, 83, 84
Subarea 12 (2004)
District 31 (Toler)

A request to change from RM6 to MUN district properties located at 5606 Cloverland Drive, Old Hickory Boulevard (unnumbered), and 675 Old Hickory Boulevard, abutting the south margin of Old Hickory Boulevard and the east margin of Cloverland Drive, (3.76 acres), requested by Daniel Burton, Hawkeye Constructors, LLC, applicant/owner, Jerry and Wayne Whitehurst, owners.

Staff Recommendation - Approve

APPLICANT REQUEST - Rezone 3.76 acres from residential multi-family (RM6) to mixed use neighborhood (MUN) district at 5606 Cloverland Drive, Old Hickory Boulevard (unnumbered), and 675 Old Hickory Boulevard.

Existing Zoning

RM6 district - RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre.

Proposed Zoning

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

SOUTHEAST COMMUNITY PLAN POLICY

Residential Medium (RM) (Adopted July 22, 2004) -RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family, detached units, town-homes, and walk-up apartments.

Mixed Use (MU) Proposed Policy Update on this agenda) - MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density.

Policy Conflict - The MUN district is not consistent with the RM policy intended for residential development at a density of four to nine dwelling units per acre. MUN allows for uses that are not consistent with the residential policy called for in this area such as retail and restaurant uses. The MUN district is consistent, however, with the proposed Mixed Use policy calling for a mixture of residential, commercial, and office uses.

RECENT REZONINGS - This property was rezoned from RM4 to RM6 in November 2003. The Planning Commission recommended approval of that rezoning in August 2003. The RM4 zoning district to the west of the property was rezoned in January 2002. The Planning Commission recommended approval in October 2001. The Seven Springs PUD to the north of this property (parcel 046) was recently amended to permit the development of two 4 story buildings, each containing 72 condominium units, to replace 222 independent living unit and 48 assisted living units. This was approved by the Commission on March 25, 2004, and approved by Council on May 18, 2004. The Commission also approved a request for a final PUD on parcel 241 to permit the construction of a 2-story 19,250 square foot office building.

TRAFFIC

METRO PUBLIC WORKS' RECOMMENDATION- No Exception Taken.

Typical Uses in Existing Zoning District: RM6

Land Use (ITE Code)	Acres	Density per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	3.76	6	23	135	11	12

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	3.76	0.17	27,844	1,234	191	140

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
			--	+1,099	+180	+128

Maximum Uses in Existing Zoning District: RM6

Land Use (ITE Code)	Acres	Density per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/Townhome (230)	3.76	6	23	135	11	12

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office Park (710)	3.76		12,015	137	21	19

*adjusted for type of use in PUD

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	Dwelling Units	Total Dwelling Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/townhome ()	3.76		16	124	10	11

*adjusted for type of use in PUD

Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	--	--	--	126	20	18

proposed PUD plan includes three buildings with 5,400 square feet, 4,320 square feet and 2,295 square feet of office space respectively.

Stormwater Management - There is a stream running through this site diagonally from the northeast corner to the southern-central portion of the site. The preliminary plan will be conditioned upon the appropriate stream buffer being shown on the Final PUD plan. The plan will need to be adjusted slightly to remove the corner of one building from the stream buffer and to label the stream buffer correctly. Currently, the stream buffer is labeled as 50 feet wide, while it should be labeled as 60 feet wide. The number of residential units and office square footage may be less than what is approved to account for these adjustments.

TRAFFIC

METRO PUBLIC WORKS' RECOMMENDATION - Although Public Works initially required an Access Study, the applicant revised the plan to disconnect the driveways between Old Hickory Boulevard and Cloverland Drive. Public Works has revised their recommendation and is no longer requiring the access study.

CONDITIONS

1. A Tree Preservation / Removal and Grading Boundary Plan (24x36) shall be submitted prior to, or in conjunction with, the submittal of the Final PUD application.
2. Prior to or in conjunction with the submittal of any Final PUD plan for Phases 2 or 3, the stream buffer must be shown correctly as 60 feet wide and buildings must be relocated out of the stream buffer. The number of residential units and office square footage may need to be reduced to account for these adjustments.
3. Prior to or in conjunction with the submittal of any final PUD plans, the plan must be revised to show sidewalks along the frontage of Old Hickory Boulevard and Cloverland Drive.
4. Any change in uses to any commercial uses other than office will require a PUD amendment and Metro Council approval.
5. Any future changes to the plan shall be limited to a Floor Area Ratio (FAR) of 0.08 for the office uses within the PUD. Increasing office uses beyond this amount will require Council approval of an amendment to the PUD.

Resolution No. 2004 –326

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004P-021U-12 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. A Tree Preservation / Removal and Grading Boundary Plan (24x36) shall be submitted prior to, or in conjunction with, the submittal of the Final PUD application.
2. Prior to or in conjunction with the submittal of any Final PUD plan for Phases 2 or 3, the stream buffer must be shown correctly as 60 feet wide and buildings must be relocated out of the stream buffer. The number of residential units and office square footage may need to be reduced to account for these adjustments.
3. Prior to or in conjunction with the submittal of any final PUD plans, the plan must be revised to show sidewalks along the frontage of Old Hickory Boulevard and Cloverland Drive.
4. Any change in uses to any commercial uses other than office will require a PUD amendment and Metro Council approval.

5. Any future changes to the plan shall be limited to a Floor Area Ratio (FAR) of 0.08 for the office uses within the PUD. Increasing office uses beyond this amount will require Council approval of an amendment to the PUD.”

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11. **2004Z-084G-14**
Map 85, Parcel 7
Subarea 14 (1996)
District 14 (White)

A request to change from AR2a to RS10 district a portion of property at 1176 Stones River Road, west of the Central Pike and Lebanon Pike intersection, (91.63 acres), requested by Barge, Waggoner, Sumner & Cannon, Inc., applicant for Ravenwood Club, owner.

The Metropolitan Planning Commission DEFERRED Zone Change 2004Z-084G-14 indefinitely at the request of the applicant. (7-0)

12. **2004Z-124G-14**
Map 85, Parcel 17,18
Subarea 14 (1996)
District 14 (White)

A request to change from AR2a and RM20 to MUL district at 1014 and 1015 Stones River Road, at the terminus of Central Pike, (11.32 acres), requested by Barge, Waggoner, Sumner & Cannon, Inc., applicant for G. Stroud Merritt, III.

The Metropolitan Planning Commission DEFERRED Zone Change 2004Z-124G-14 indefinitely at the request of the applicant. (7-0)

13. **2004P-025G-14**
Ravenwood Community
Map 85, Parcel a portion of 7
Subarea 14 (1996)
District 14 (White)

A request for preliminary approval for a Planned Unit Development district at 1176 Stones River Road, at Lebanon Pike, classified AR2a and proposed for RS10, (102.95 acres), to permit 301 single-family lots, and 66,300 square feet of commercial, requested by Barge Waggoner Sumner and Cannon, for Ravenwood Club, owner.

The Metropolitan Planning Commission DEFERRED Preliminary Planned Unit Development 2004P-025G-14 indefinitely at the request of the applicant. (7-0)

14. **2004Z-117U-10**
Map131-02, Parcel 125
Subarea 10 (1994)
District 25 (Shulman)

A request to change from RM20 to MUL district located at 4200 Hillsboro Pike, on the southeast corner of Overhill Drive and Hillsboro Pike, (.50 acres), requested by Lineberry Properties, Inc., applicant/owner.

Staff Recommendation - Disapprove

APPLICANT REQUEST - A request to change 0.50 acres from residential multi-family (RM20) to mixed use limited (MUL) district property at 4200 Hillsboro Pike, on the southeast corner of Overhill Drive and Hillsboro Pike.

Existing Zoning

RM20 district - RM20 is intended for single-family, duplex, and multi-family dwellings at a density of 20 dwelling units per acre. The RM20 district would permit 10 multi-family units on this site.

Proposed Zoning

MUL district - Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

SUBAREA 10 PLAN POLICY

Residential Medium High (RMH) - RMH policy is intended for existing and future residential areas characterized by densities of nine to twenty dwelling units per acre. A variety of multi-family housing types are appropriate the most common types include attached townhomes and walk-up apartments.

Policy Conflict - Yes. The proposed MUL district is not consistent with the Subarea 10 Plan’s RMH Policy calling for residential development at 9 to 20 dwelling units per acre. The MUL district permits commercial and office uses that are not permitted by the policy in this area. The area to the northeast is within the Green Hills Regional Activity Center Policy; however, commercial uses should not be extended farther to the south across Overhill Road. There is a clear line where commercial development stops on this side of Hillsboro Pike.

RECENT REZONINGS - None.

TRAFFIC

PUBLIC WORKS’ RECOMMENDATION - An Access Study will be required at the development stage.

Typical Uses in Existing Zoning District: RM20

Land Use (ITE Code)	Acres	Density per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Res. Condo/Townhome (230)	0.5	20	10	109	11	12

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Fast Food Restaurant (934)	0.5	0.07	1,525	757	81	53

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	0.5			648	70	41

Maximum Uses in Existing Zoning District:RM20

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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Res. Condo/Townhome (230)	0.5	20	10	109	11	12
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Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Gas Station w/Convenience Market (945)	0.5	0.2	4,356	NA	339	420

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

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.5				328	408

Ms. Harris presented and stated that staff is recommending disapproval.

Mr. Shawn Henry, Tune, Ektrin & White, spoke in favor of the development.

Ms. Amy Kurland, 4339 Sneed Road, spoke in opposition of the proposed zone change.

Ms. Abby Perry, 4207 Hillsboro Road, #114, spoke in opposition to the rezoning.

Mr. Frank Engler, 304 Ellington Avenue, spoke in support of the rezoning.

Ms. MaryAnn Johnson 4206 Farrar Avenue, spoke in opposition to the rezoning.

Mr. Ray Evans, 4204 Hillsboro Road, spoke in opposition to the rezoning.

Mr. Mark Stengel, 2042 Galbreth Drive, spoke in modified support of the rezoning.

Councilmember Dread spoke in support of the rezoning request. He stated that this zone change request is compatible to the area. He explained that residential zoning for this area would not be appropriate.

Mr. John Long spoke in opposition to the rezoning.

Ms. Nielson spoke in opposition to the rezoning due to its incompatibility to the general plan.

Mr. Small spoke in support of staff's recommendation.

Ms. Jones moved, and Mr. McLean seconded the motion, which passed unanimously to disapprove Zone Change 2004Z-117U-10. **(7-0)**

Mr. Bernhardt suggested that the developer go through the subarea planning process if they are interested in bringing the proposal back to the Commission.

Resolution No. 2004 –327

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-117U-10 is **DISAPPROVED.**
(7-0)

The proposed MUL district is not consistent with the Subarea 10 Plan’s Residential Medium High (RMH) policy, calling for nine to twenty dwelling units per acre. The MUL district would allow for commercial and office uses that are not permitted by the RMH policy in this area. Although the area to the northeast is within the Green Hills Regional Activity Center policy area, commercial uses should not be extended farther to the south across Overhill Road. The commercial and residential districts in this area are already established.”

15. **2004Z-123U-12**
Map 161, Parcel 101-103, 105-107, 112, 189,
Map162, Parcels 78-82
Subarea 12 (2004)
District 31 (Toler)

A request to change from SCR (24.46 acres), CN (0.60 acres), and AR2a (18.92 acres) to CS district at Old Nolensville Rd. (unnumbered), 270 Cedarview Drive, 5816 Nolensville Pk. #101, 5808 Old Nolensville Pk., Nolensville Pk. (unnumbered), and 5830 Nolensville Pike, (43.98 acres), requested by Gresham Smith & Partners, applicant for James E. Freeman, Marion Watkins, Peter Tolliver, Jr., Deborah Whittaker, Holly and Tom Rader, Dennis Brandon, Howard & Patsy Claude, Theresa J. Comer and Armelda Comer-Cain, Frederick and Lucinda Burbach, and M. R. Bess, owners.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Rezone a total of 43.98 acres from Shopping Center Regional (SCR), Commercial Neighborhood (CN), and Agricultural/residential (AR2a) to Commercial Services (CS) district at Old Nolensville Road (unnumbered), 270 Cedarview Drive, 5816 Nolensville Pike #101, 5808 Old Nolensville Pike, Nolensville Pike (unnumbered), and 5830 Nolensville Pike.

Existing Zoning

CN district: (0.60 acres) - Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses, which provide for the recurring shopping needs of nearby residential areas.

SCR district: (24.46 acres) - Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

AR2a district: (18.92 acres) - Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan.

Proposed Zoning

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

SOUTHEAST COMMUNITY PLAN POLICY

Retail Concentration Super Community (RCS) Policy - Super community scale concentrations serve essentially the same function as community scale concentrations but are generally larger in size and provide a wider array of goods and services. Typical RCS uses include retail shops, consumer services, restaurants, and entertainment. In RCS areas that are located at highway interchanges, a limited amount of uses intended to serve travelers is also appropriate. In addition, super community scale retail concentrations usually contain large, single, specialized retail stores, which draw people from a wider market area.

Policy Conflict - No. The proposed CS district is consistent with the Southeast Community Plan’s RCS policy calling for a wide range of commercial uses, including consumer services, restaurants, retail, and entertainment.

RECENT REZONINGS - None.

TRAFFIC

PUBLIC WORKS' RECOMMENDATION - A Traffic Impact Study was required, but was not submitted by the applicant in time to be reviewed and included in this staff report.

Typical Uses in Existing Zoning District: SCR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	19.34	0.139	117,100	7526	173	696

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	24.04	0.5	12	115	9	13

Typical Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Fast Food Rest. With Drive-Thru (934)	0.6	.079	2,065	1025	110	72

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Free-standing discount store (815)	43.98	0.125	239,471	13416	202	1212

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				4,750	-90	431

Maximum Uses in Existing Zoning District: SCR

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	19.34	1.0	842,450	27,147	868	2556

Maximum Uses in Existing Zoning District: AR2a

Land Use	Acres	Units Per	Total	Daily Trips	AM Peak	PM Peak
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(ITE Code)		Acre	Number of Lots	(weekday)	Hour	Hour
Single-family detached (210)	24.04	0.5	12	115	9	13

Maximum Uses in Existing Zoning District: CN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office park (750)	0.6	0.25	6,534	478	12	10

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	43.98	0.60	1,149,461	33,224	1184	3137

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

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				5484	295	558

CONDITIONS

1. Prior to 3rd Reading by the Metro Council, the Traffic Impact Study must be approved by Metro Public Works and any required traffic mitigations must be amended into the Council Bill prior to 3rd Reading. **If the conditions are not made part of the Council Bill, the recommendation is to disapprove.**

[Note: Items #15 & #16 were discussed by The Metropolitan Planning Commission together. See Item #16 for actions and resolutions.]

16.

15-85-P-12

Bell Trace Plaza Commercial PUD
 Map 161-00, Parcels 101-102, 112, 189, and portion of 103
 Subarea 12 (2004)
 District 31 (Toler)

Request to cancel a portion of a partially-completed Commercial Planned Unit Development district located along the east side of Nolensville Pike opposite Swiss Avenue, classified CN and SCR (16 acres), approved for 132,288 square feet of retail, restaurant and movie theater uses, requested by Gresham Smith & Partners, applicant, for various property owners.

Staff Recommendation - Approve

APPLICANT REQUEST - Preliminary PUD

Request to cancel a 16 acre portion of a Commercial PUD located along the east side of Nolensville Pike, opposite Swiss Avenue approved for 132,288 square feet of retail, restaurant, and movie theater uses.

PLAN DETAILS

Site Design & Access – The original Council-approved plan for the portion of the PUD that is requested for cancellation included a shopping center layout for a movie theater, a grocery store, a drug store, several

general retail tenant spaces and a fast-food restaurant outparcel. The plan includes 132,288 square feet of commercial uses on this portion of the PUD.

ZONING

CN district: (0.60 acres) - Commercial Neighborhood is intended for very low intensity retail, office, and consumer service uses, which provide for the recurring shopping needs of nearby residential areas.

SCR district: (15.4 acres) - Shopping Center Regional is intended for high intensity retail, office, and consumer service uses for a regional market area.

LAND USE POLICY

Retail Concentration Super Community (RCS) Policy - Super community scale concentrations serve essentially the same function as community scale concentrations but are generally larger in size and provide a wider array of goods and services. Typical RCS uses include retail shops, consumer services, restaurants, and entertainment. In RCS areas that are located at highway interchanges, a limited amount of uses intended to serve travelers is also appropriate. In addition, super community scale retail concentrations usually contain large, single, specialized retail stores, which draw people from a wider market area.

Policy Conflict - No. The proposed CS district is consistent with the Southeast Community Plan's RCS policy calling for a wide range of commercial uses, including consumer services, restaurants, retail, and entertainment.

TRAFFIC

PUBLIC WORKS' RECOMMENDATION - A Traffic Impact Study was required, but was not submitted by the applicant in time to be reviewed and included in this staff report.

CONDITIONS

1. Prior to 3rd Reading by the Metro Council, the Traffic Impact Study must be approved by Metro Public Works. If the conditions are not made part of the Council Bill for Zone Change Proposal No. 2004Z-123U-12, the recommendation is to disapprove.

Mr. Leeman presented and stated that staff is recommending approval with conditions of zone change 2004Z-123U-12 as well as approval of planned unit development 15-85-P-12.

Mr. Don Lunn, 5802 Nolensville Pike, spoke in opposition to the proposed zone change request.

A resident of 613 Cedar Hill Court spoke in opposition to the zone change request.

Mr. Mike Cochran, Gresham Smith & Partner, spoke in favor of the proposal.

Councilmember Toler acknowledged that this property would be developed sometime in the future. He indicated that he would hold a neighborhood meeting to address the issues and concerns expressed by the constituents affected by this proposal and would hope to have this completed before the request reaches the Council level.

Mr. Tyler inquired whether a PUD was required for this zone change.

Mr. Leeman indicated that the zone change request is consistent with the general plan for this area and that a PUD is not required by the subarea plan. However, the Commission could request that PUD be included with the zone change request.

Mr. McLean suggested additional studies be completed on the residential streets included in the plan, specifically with their connectivity to the surrounding area.

Ms. Nielson expressed concerns regarding the residential streets connecting to a commercial area and stated that the Commission should be sensitive to this issue when the plan returns for final approval.

Mr. Small expressed opposition to the removal of the approved Commercial PUD and zone change request. He suggested that the Commission defer or disapprove to allow the entire plan be presented for this 50 acre parcel.

Mr. Lawson explained that requesting design standards for a requested zone change is an unusual precedent for the Commission to adhere to. He suggested that the Commission recommend to Council that if the zone change is approved, then Council should require a PUD.

Ms. Jones stated that the parcel in question has some real opportunity and that she supports the idea of a PUD.

Ms. Nielson moved, and Mr. McLean seconded the motion, to approve with conditions zone change 2004Z-123U-12 with the condition that a PUD must be attached to this zone change, and to approve cancellation of the 16 acre portion of planned unit development 15-85-P-12 located along the east side of Nolensville Pike. **(6-1) No Vote - Small**

Resolution No. 2004 –328

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-123U-12 is APPROVED WITH CONDITIONS, INCLUDING THAT A RECOMMENDATION BE MADE TO COUNCIL TO ADOPT A NEW PUD AND CANCEL THE ORIGINAL PUD. (6-1)

Conditions of Approval:

1. Prior to approval on 3rd Reading by the Metro Council, the Traffic Impact Study must be approved by Metro Public Works and any required traffic mitigations must be amended into the Council Bill.
2. Prior to or concurrent with approval on 3rd reading by the Council, a Planned Unit Development must be approved by the Metro Council on this property.

If the conditions are not made part of the Council Bill, the recommendation is to disapprove.

The proposed CS district is consistent with the Southeast Community Plan’s Retail Concentration Super Community (RCS) policy calling for a wide range of commercial uses, including consumer services, restaurants, retail, and entertainment. A Traffic Impact Study must be approved prior to the third reading at Metro Council by Metro Public Works and any mitigations must be amended into the Council Bill prior to the third reading, and an associated PUD plan must be submitted showing the relationship between the surrounding residential and the proposed commercial uses.”

Resolution No. 2004 –329

“BE IT RESOLVED by the Metropolitan Planning Commission that the request to cancel a portion of 15-85-P-12 is APPROVED. (6-1)”

17. **2004Z-126U-03**
Map 70-06, Parcel 38
Subarea 3 (1998)
District 2 (Isabel)

A request to change from R8 to MUL district at 1204 West Trinity Lane, east of Youngs Lane, (5.6 acres), requested by Scott Summerville, Facilities Design Group, applicant for Wanda Templeton, owner.

Ms. Harris presented and stated that staff is recommending disapproval.

Ms. Sharon Robichaux, 1106 Petway Avenue, LLC Development, spoke in favor of the proposed development. She requested that this item be deferred to allow the developer to work with the Community and the Councilmember.

Mr. Small moved and Ms. Jones seconded the motion, which passed unanimously to indefinitely defer Zone Change 2004Z-126U-03. (7-0)

The Metropolitan Planning Commission DEFERRED INDEFINITELY Zone Change 2004Z-126U-03.

18. **2004Z-127U-10**
Map 118-01, Parcel 127-129, 141-146
Subarea 10 (1994)
District 17 (Greer)

A request to change from R8 and CS to MUL district at 1113 and 1115 Montrose Ave., 1114A, 1114B, and 1116 Halcyon, 2600, 2702, 2704, and 2706 12th Ave.S., (1.25 acres), requested by Charles A. Howell, IV, applicant for The Shop Trust, LLC and Howell Realty Trust, owners.

Staff Recommendation - Approval, excluding parcels 129 and 141.

APPLICANT REQUEST - Rezone 1.25 acres from residential (R8) and commercial service (CS) to mixed use limited (MUL) district at 1113 and 1115 Montrose Avenue, 1114A, 1114B, and 1116 Halcyon, 2600, 2702, 2704, and 2706 12th Avenue South.

Existing Zoning

RS10 district - R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots. The R8 district allows approximately 4 dwelling units currently.

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

Proposed Zoning

MUL district - Mixed Use Limited is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses. The MUL would allow for approximately 54 dwelling units.

SUBAREA 10 PLAN POLICY

Mixed Use (MU) - MU policy is intended to encourage an integrated, diverse blend of compatible land uses ensuring unique opportunities for living, working, and shopping. Predominant uses include residential, commercial, recreational, cultural, and community facilities. Commercial uses appropriate to MU areas include offices and community, neighborhood, and convenience scale activities. Residential densities are comparable to medium, medium-high, or high density.

Residential Medium (RM) - RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Policy Conflict - The proposed MUL district is consistent with the Subarea 10 Plan's MU policy intended for a mixture of residential, retail, and office uses. All of these parcels with the exception of parcels 129 and 141 are included in the MU policy, while these two are included in the RM policy.

Staff recommends approval of the MUL district for all the parcels in the MU policy (127-128, 142-146) and disapproval of parcels 129 and 141 at this time. Although the MUL district may be appropriate for these two parcels, it is not consistent with the RM policy. The Subarea 10 plan update is underway and this area will be further evaluated during this process.

RECENT REZONINGS - The Commission recommended approval of a zone change request on parcel 110 to the north from R8 to MUL on August 26, 2004.

TRAFFIC - A Traffic Impact Study may be required at development.

Typical Uses in Existing Zoning District: R8/CS

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	1.25	4.63	6	58	5	7

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Fast Food Restaurant (934)	1.25	0.07	3,812	1892	203	133

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.25			1887	198	126

Maximum Uses in Existing Zoning District: R8/CS

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	1.25	4.63	6	58	5	7

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Convenience Market w/Gas (945)	1.25	0.115	6,262	NA	487	604

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

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	1.25				482	607

R6 district - R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots.

Proposed Zoning

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

SUBAREA 11 PLAN POLICY

Residential Low Medium (RLM)-RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Policy Conflict - Yes. The proposed CS district is not consistent with the Subarea 11 Plan’s Residential Low Medium (RLM) policy calling for residential development at two to four dwelling units per acre. The proposed automobile repair use in the associated PUD amendment is also not consistent with the policy in the area, or the Council-approved PUD plan.

RECENT REZONINGS - None. Two previous zone changes on the property, prior to the adoption of the Commercial PUD, were disapproved by the Planning Commission in February, 1995 (from OP and CG to CS) and in November, 1995 (from OP, CG and R6 to OP and CS). The first request was subsequently withdrawn after second reading in the Council and the latter request was approved in 1997. The existing Commercial PUD was recommended for disapproval by staff in 1997, however, the Planning Commission approved the PUD on January 23, 1997. There was some concern by the Commission that allowing the Commercial PUD may lead to other uses beyond what was approved at the time, but the motel plan was recommended for approval.

TRAFFIC

PUBLIC WORKS’ RECOMMENDATION- Traffic Impact Study is not required.

Typical Uses in Existing Zoning District: R6/OR20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.78	6.2	5	48	4	6

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto Sales (841)	0.78	0.07	2,378	80	5	5

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

Land Use (ITE Code)	Acres	--		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.78			32	1	-1

Maximum Uses in Existing Zoning District: R6/OR20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
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Single-family detached (210)	0.78	6.2	5	48	4	6
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Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Auto-care center (942)	0.78	0.14*	3,499	NA	11	13

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

Land Use (ITE Code)	Acres	--	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	0.78				7	6

*FAR was determined by the associated PUD (97P-005U-11).

[Note: Items #19 and #20 were discussed by The Metropolitan Planning Commission together. See item #20 for actions and resolutions.]

- 20.** **97P-005U-11**
 Bhomar PUD (Import Specialty Service)
 Map 119-01, Parcel 496
 Subarea 11 (1999)
 District 16 (McClendon)

A request to amend the Commercial Planned Unit Development located at 375 Glenrose Avenue, at Hester Avenue, classified OR20, CS, and R6, (1.67 acres), 7,200 square foot, 8 bay, automotive repair facility, approved for a 4-story, 32,800 square foot motel, requested by Dale and Associates, for Bhomar, LLC, owner.

Staff Recommendation - Disapprove

APPLICANT REQUEST - Preliminary PUD

Request amend the Commercial Planned Unit Development district located at 375 Glenrose Avenue, at Hester Avenue to permit a 7,200 square foot, 8-bay, automotive repair facility, replacing an unbuilt 32,800 square foot, 4-story, 60-unit motel.

PLAN DETAILS

Site Design & Access - The proposed PUD plan includes an ingress/egress driveway to Glenrose Avenue. The plan also includes a 10 foot wide “B” Landscape Buffer yard along the frontage of Glenrose Avenue and Hester Avenue with a 6-foot tall masonry wall.

Staff recommends disapproval of the amendment since the automotive repair use is inconsistent with the surrounding residential neighborhood, and allows more intense commercial uses to encroach further into the neighborhood. Although the original plan was approved for a motel use, the intensification of commercial uses in this area is inconsistent with the Subarea 11 Plan’s Residential Low Medium (RLM) policy calling for residential development. The more intense commercial uses, such as automotive repair should be limited to areas directly accessing Nolensville Pike.

METRO PUBLIC WORKS’ RECOMMENDATION

1. Submit Trip Generation Analysis for new land use and comparison to approved PUD trips. This has not been submitted by the applicant.

2. Install required parking per code and 24 foot drive aisle.

Mr. Leeman presented and stated that staff is recommending disapproval of zone change 2004Z-128U-11 as well as disapproval of the planned unit development 97P-005U-11.

Mr. Rod Kruse, 6495 Holt Road, spoke in favor of the proposed zone change and planned unit development.

Ms. Nielson referenced the conditions that Councilmember McClendon distributed to the Commission at the beginning of the meeting. She expressed reservations to rezoning to CS.

Mr. McLean spoke in favor supporting the rezoning due to the PUD restrictions suggested by Councilmember McClendon.

Ms. Nielson requested clarification on any future developments that could be slated for this site.

Mr. Bernhardt explained that if the zone change and PUD were approved, any changes in these conditions would require Council approval.

Mr. Ponder inquired if there was another zoning appropriate for the applicant's request.

Mr. Small expressed many concerns regarding the conditions that were submitted by Councilmember McClendon. He suggested that staff review and amend the restricted conditions.

Mr. Small moved and Ms. Nielson seconded the motion, which passed unanimously to approve zone change 2004Z-128U-11 as well as approve planned unit development 97P-005U-11 with the condition that staff review and modify (with Councilmember McClendon), her conditions placed on the PUD. **(7-0)**

Resolution No. 2004 –331

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004Z-128U-11 is **APPROVED. (7-0)**

Although the CS district is not consistent with the Subarea 11 Plan's Residential Low Medium (RLM) policy, the existing Council-approved Planned Unit Development (PUD) plan associated with this property already allows for commercial uses. A new PUD plan is associated with this zone change request that proposes an automobile repair use.”

Resolution No. 2004 –332

“BE IT RESOLVED by the Metropolitan Planning Commission that 97P-005U-11 is **APPROVED WITH CONDITIONS, WITH CONDITIONS TO BE WORKED OUT BY STAFF TO MODIFY COUNCILMEMBER MCCLENDON'S CONDITIONS. (7-0)**

Conditions of Approval:

1. Submit Trip Generation Analysis for new land use and comparison to approved PUD trips. This has not been submitted by the applicant.
2. Install required parking per code and 24 foot drive aisle.

X. PRELIMINARY SUBDIVISION PLATS

21. **2004S-204U-05**
Maple Manor
Map 060, Parcel 041
Subarea 5 (1994)
District 2 (Isabel)

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

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

Mr. Andrew Huff, 3008 Stanwyck Drive, spoke in opposition to the proposal.

Mr. Lee Cunningham, 225 Kenneth Drive, spoke in opposition to the proposal.

Councilmember Isabel requested that the Commission defer this item to allow time for the community to meet with the developer.

Ms. Cheryl Tucker, 2818 Surf Drive spoke in opposition to the proposal.

Mr. Ronnie Haley, 2912 Rich Acres Drive, spoke in opposition to the proposal.

Mr. Lucian Carbrough, 3000 Rich Acres Drive, spoke in opposition to the proposal.

A resident of 205 Kenneth Drive, spoke in opposition to the proposal.

Ms. Fannie Whitlow, 2901 Sunset Drive, spoke in opposition to the proposal.

Ms. Beverly Wright, 237 Kenneth Drive, spoke in opposition to the proposal.

Ms. L. J. Huff spoke in opposition of this proposal.

Mr. Bill McKee, 214 Kenneth Drive, spoke in opposition to the proposal.

Ms. Marlene Blackstone Little, 301 Burlwood Court, spoke in opposition to the proposal.

Mr. George Hussey, owner, spoke in favor of the proposal.

Mr. Tyler expressed concerns regarding the additional traffic that would be generated by this proposal and its affect it would have on Dickerson Pike. He also expressed issues with the density of the proposal.

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously to defer preliminary plat 2004S-204U-05 to October 14, 2004 to allow additional time for the developer and the community to reach mutual considerations, and to recommend that staff research all aspects, including legal issues, of the Pine Ridge Drive access contained in the proposal. **(7-0)**

The Metropolitan Planning Commission DEFERRED this item to the October 14, 2004 meeting, with staff to research legal access to Pine Ridge Drive and traffic access study.

22. **2004S-268G-04**
Pridemore Subdivision - Section One
Map 063, Parcel 102, 187
Subarea 4 (1998)

District 9 (Forkum)

A request for preliminary plat approval for 5 lots abutting the south margin of Hudson Road, approximately 700 feet east of Neelys Bend Road (4.6 acres), classified within the RS40 District, requested by Denise Pridemore, owner, Dale & Associates, surveyor.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Preliminary Plat

Subdivide 4.6 acres into 5 single-family lots along the south side of Hudson Road, approximately 700 feet east of Neelys Bend Road.

ZONING

RS40 District - 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.

SUBDIVISION DETAILS - The proposed plat is not a cluster lot subdivision since each lot has a minimum of 40,000 square feet; therefore, there is no requirement to provide open space in this subdivision. However, since this plat is subdividing a portion of a larger parcel, a note has been placed on the plat, and the plat will be conditioned that: "Prior to the submittal of a final plat, the remaining portion of parcels 102 and 187 will be combined with either parcel 210 or 212, all being under the same current ownership."

Lot Sizes and Lot Comparability - The proposed lots are between 40,000 square feet and 40,439 square feet. Lot Comparability was not required since this subdivision is proposed in a rural area without a predominant development pattern.

Sidewalks - Sidewalks are not required along the frontage of Hudson Road since the property is zoned RS40 and the lots are 40,000 square feet or greater. The Subdivision Regulations do not require sidewalks on lots zoned for 20,000 square feet or greater with lot sizes equal to or greater than 20,000 square feet.

TRAFFIC

PUBLIC WORKS RECOMMENDATION - No Exception Taken

CONDITIONS

1. Prior to the submittal of a final plat, the remaining portion of parcels 102 and 187 will be combined with either parcel 210 or 212, all being under the same current ownership.

Approved (7-0), *Consent Agenda*

Resolution No. 2004 –333

"BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-168G-04 is **APPROVED WITH CONDITIONS.** (7-0)

Conditions of Approval:

1. Prior to the submittal of a final plat, the remaining portion of parcels 102 and 187 will be combined with either parcel 210 or 212, all being under the same current ownership."

X. FINAL PLATS

23. **2004S-260G-01**
Winters Subdivision
Map015-07, Parcel portion of 277

Subarea 1 1997)
District 1 (Gilmore)

A request for final plat approval to create five lots abutting the north margin of Morgan Road, approximately 1,000 feet west of Wilkinson Road (6.21 acres), classified within the RS40 District, requested by E. Wayne Winters, Trustee, William Marlin Keel, surveyor.

Staff Recommendation - Approval

APPLICANT REQUEST - Preliminary Plat

Subdivide 6.21 acres into 5 single-family lots, abutting the north side of Morgan Road, 1,000 feet west of Wilkinson Road.

ZONING

RS40 District -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.

SUBDIVISION DETAILS -The proposed plat is not a cluster lot subdivision since each lot has a minimum of 40,000 square feet; therefore, there is no requirement to provide open space in this subdivision. However, since this plat is subdividing a portion of a larger parcel, it does provide for 50 feet between Lot 4 and Lot 5 for future access.

Lot Sizes and Lot Comparability - The proposed Lots range in size from 40,200 square feet to 100,391 square feet. Lot Comparability was not required since this subdivision is proposed in a rural area without a predominant development pattern.

Sidewalks - Sidewalks are not required along the frontage of Morgan Road since the property is zoned RS40 and the lots are 40,000 square feet or greater. The Subdivision Regulations do not require sidewalks on lots zoned for 20,000 square feet or greater with lot sizes equal to or greater than 20,000 square feet.

TRAFFIC

PUBLIC WORKS RECOMMENDATION -No Exception Taken

Approved (7-0), *Consent Agenda*

Resolution No. 2004 –334

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004S-260G-01 is **APPROVED (7-0)**”

24. **2004S-263G-13**
Author Harris Subdivision
Map 150, Parcel 185, 187
Subarea 13 (2003)
District 33 (Bradley)

A request for final plat approval to create two lots abutting the north margin of Hamilton Church Road, approximately 1400 feet east of Mt. View Road (8.15 acres), classified within the AR2a District, requested by Author Harris, owner, H & H Land Surveying, surveyor.

The Metropolitan Planning Commission DEFERRED Final Plat 2004S-263G-13 indefinitely at the request of the applicant. (7-0)

25. **2004S-267U-07**
West Meade Village, Section C-1, Resubdivision of Lot 8
Map 118-08, Parcel 68
Subarea 7 (2000)
District 23 (Whitson)

A request for final plat approval to subdivide 1 existing lot into 2, located at the southeast corner of Davidson Road and Bresslyn Road (2.13 acres), classified RS40 district, requested by Joan B. Hager, owner and John Hood, surveyor.

The Metropolitan Planning Commission DEFERRED Final Plat 2004S-267G-07 to October 28, 2004 at the request of the applicant. (7-0)

XI. PLANNED UNIT DEVELOPMENTS (revisions)

26. **126-78-U-14**
Lakeshore Estates
Map 85, Parcel 212
Subarea 14 (1996)
District 15 (Loring)

A request for final PUD approval for a portion of the Residential Planned Unit Development, located at Fernbrook Lane (unnumbered), classified R15, (4.14 acres), to permit a 4-story assisted living facility, requested by Dale and Associates, for Heartland Christian Tower, Inc., owner.

Staff Recommendation - *Approve with conditions*

APPLICANT REQUEST - Final PUD

Request for a Final PUD approval for a portion of the Residential Planned Unit Development to allow for the development of a 4-story, 48,000-square foot, 58-bed, assisted living facility in phase 2 of the PUD. The property is located along the south side of Fernbrook Lane, approximately one-half mile east of McGavock Pike.

PLAN DETAILS

The plan proposes one new building (48,000 square feet) that will contain a 58-bed assisted living facility. This plan is consistent with the revised preliminary PUD plan approved on March 25, 2004. That revision to the PUD was to phase 2 & 3 of the plan. The Council-approved plan allows for the development of an assisted living facility, in three phases, for a total of 106,500 square feet and 220 beds. Specifically, phase 2 allowed for 80 beds and 33,500 square feet of floor area. The revision reduced the number of beds by 22 but increases the square footage by 14,500 square feet. Phase 3 has been appropriately revised to account for the phase 2 increases and reductions.

Currently, phase 1 is the only portion of the assisted-living facility that has been completed. This phase provides 50 beds and 40,000 square feet of gross floor area.

METRO PUBLIC WORKS' COMMENTS - No exceptions taken.

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

2. 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.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
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.

Approved with conditions (7-0), *Consent Agenda*

Resolution No. 2004 –335

“BE IT RESOLVED by the Metropolitan Planning Commission that 126-78-U-14 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. 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.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
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.”

27. **89P-022U-10**
 Melrose PUD
 Map118-06, Parcel 161, 162
 Subarea 10 (1994)
 District 17 (Greer)

A request to revise a portion of the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development District located at Gale Lane (unnumbered), classified SCC, (8.1 acres), to permit a 12,000 square foot medical office building, replacing a 8,400 square foot retail use, requested by Barge Waggoner Sumner and Cannon, for Land Trust Corporation, owner.

Staff Recommendation - Approve with conditions

APPLICANT REQUEST - Revise Preliminary and Final PUD

Request to revise the preliminary plan and for final approval for a portion of the Commercial Planned Unit Development located at the corner of Gale Lane and Franklin Road, to permit a 12,000 square foot medical office building, replacing an 8,400 square foot, unbuilt, retail use.

PLAN DETAILS

Site Design/Access - The proposed plan revises one of the undeveloped outparcels of the Melrose Shopping Center to allow for a 12,000 square foot medical office building. The building will front on Gale Lane, but will have no direct access to Gale Lane. Access will be at the same location as was originally approved, which is through the internal, private access driveway, which leads up to the Kroger portion of the PUD.

ZONING & LAND USE POLICY

SCC Zoning - Although the Council approved plan included office uses, the SCC base zoning also allows for office uses, therefore, the proposed medical office building is a revision, not an amendment requiring Council approval.

Subarea 10 Plan Policy

Retail Concentration Community (RCC) - RCC policy is intended to accommodate concentrations of community scale retail. Community scale retail includes many forms of retail activity, including most types of retail shops, restaurants, entertainment, and consumer services but at a scale smaller than that of a regional mall.

TRAFFIC

METRO PUBLIC WORKS' RECOMMENDATION - No Exception Taken

CONDITIONS

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.
2. 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 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 prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. 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.

Approved with conditions **(7-0)**, *Consent Agenda*

Resolution No. 2004 -336

"BE IT RESOLVED by the Metropolitan Planning Commission that 89P-022U-10 is **APPROVED WITH CONDITIONS. (7-0)**

Conditions of Approval:

1. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.

2. 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 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 prior to the issuance of any building permits.
4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. 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."

28.

2004P-001U-10

Hair of the Dog Restaurant
Map 105-09, Parcel 46 and part of 188
Subarea 10 (1994)
District 18 (Hausser)

A request for preliminary approval for a Planned Unit Development located at 1831 and 1900 A 12th Avenue South, along the northwest corner of 12th Avenue South and Acklen Avenue, classified CS, (.39 acres), to permit an existing restaurant an exemption from the minimum distance requirement included in the beer provisions of the Metro Code, requested by Dale and Associates and Tracy Crawford, for James Christian, and special Olympics of Tennessee owner.

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

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

Ms. Tracy Crawford, owner, spoke in support of the proposal.

Ms. Angela Ridley, spoke in opposition to the proposal.

Ms. Evelyn Greer, 1314 Acklen Avenue, spoke in opposition to the proposal.

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

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

Mr. Artis Adams, 1806 14th Avenue South, spoke in opposition to the proposal.

Mr. Will Churchill, 1307 Acklen Avenue, spoke in opposition to the proposal.

Ms. Helen Young, 1312, 10, 8, 6 Acklen Avenue, spoke in opposition to the proposal.

Mr. Austin Cunningham, 1316 Acklen Avenue, spoke in opposition to the proposal.

Ms. Nielson suggested that this item be deferred and suggested that the planned unit develop be revised to include added conditions to assist in the operation of the business while satisfying the surrounding neighbors affected by the proposal.

The Commission discussed Councilmember Hausser's request, which was provided prior to the meeting, and their options regarding a motion on this proposal.

Ms. Jones requested clarification on the "minimum required distance" clause included in the report.

Mr. Kleinfelter explained this term and the required action needed by the Commission on this planned unit development.

Mr. Ponder moved and Ms. Nielson seconded the motion, which passed unanimously to defer planned unit development until October 14, 2004, to allow additional time for a meeting to take place with the business owner and area residents to discuss the PUD and associated concerns. (7-0)

The Metropolitan Planning Commission DEFERRED this item to the October 14, 2004 meeting.

XI. MANDATORY REFERRALS

29. **2004M-024U-09**
James Robertson Apts./Awning
Map 93-63, Parcel 25
Subarea 9 (1997)
District 19 (Wallace)

A request for an aerial encroachment in the public right of way at 166 7th Avenue North for awnings over an existing sidewalk requested by James Robertson Apartments, applicant.

Staff Recommendation - *Approve with conditions.*

APPLICANT REQUEST - A request for an aerial encroachment in the public right of way at 118 Seventh Avenue North for construction of an awning over an existing canopy above an existing sidewalk requested by James Robertson Apartments, applicant. This request is to replace the existing awning with a new awning.

Completed in 1929 as the James Robertson Hotel, the building is on the National Register of Historic Places but not within any redevelopment district.

DEPARTMENT AND AGENCY COMMENTS

When this request was originally submitted for approval, the Metro Historical Commission recommended disapproval because the proposed awning concealed the historic building. The applicant has worked with the Historic Commission and is now proposing an alternative design is in keeping with the design of the existing building and does not excessively conceal the façade of the building.

RECOMMENDATION - The following departments or agencies have reviewed this request and taken no exception: Metro Water Services, Public Works, and Emergency Communications Center. NES has recommended approval with the condition that there be no encroachment into NES access to electric facilities.

Planning staff recommends approval with the condition that there be no encroachment on NES access to electric facilities.

Approved (7-0), *Consent Agenda*

Resolution No. 2004 –337

"BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-029U-09 is **APPROVED. (7-0)"**

30.

2004M-057U-09

Street closure/12th Avenue South
Map 93-5, Parcel 100,101,122,123,124
Subarea 9 (1997)
District 19 (Wallace)

A request to close an 1,100 foot section of 12th Avenue North from Charlotte Avenue to the Church Street Bridge ~~and to close a 487 foot portion of Church Street underneath the Church Street Bridge~~ requested by NES, applicant for Metro Government, owner. Amended 12/9/04 See Resolution #2004-432

Staff Recommendation - Disapprove

APPLICANT REQUEST - A request by the Nashville Electric Service to close a 1,100 foot section of 12th Avenue North, located between Charlotte Avenue and Church Street, and to close a 487 foot portion of Church street underneath the Church Street Bridge. The applicant has indicated that they wish to close this portion of roadway due to Homeland Security issues, since this road provides easy access to the NES building.

APPLICATION REQUIREMENTS

This request was required to go before the Traffic and Parking Commission on September 13, 2004. The Traffic and Parking Commission disapproved the request citing the need for the availability of traffic circulation in the area. They also indicated the need to keep this road open to the public for alternative access to the Gulch. This would be the only alternative if 11th Avenue North had to be closed.

A Traffic Impact Study was submitted by the applicant and reviewed by the Public Works Department. The TIS was required since the traffic volumes on this street are over 1,000 vehicle trips per day.

DEPARTMENT AND AGENCY RECOMMENDATIONS - This item is recommended for approval by the Metro Stormwater, Emergency Communications Center, and Nashville Electric Service. Metro Water & Sewerage Services Department recommends conditional approval: Easement rights must be retained for a 12" water and 12" sewer line. NES recommends conditional approval with the following comments: "Retain any/all easements"

Public Works - Public Works recommends disapproval since this portion of roadway is needed for traffic circulation, and to provide alternative access to the Gulch if 11th Avenue North had to be closed. The Traffic Engineering staff report to the Traffic and Parking Commission states: "The traffic study submitted by RPM Transportation Consultants addresses the amount of traffic affected and how it would be handled if this portion of 12th Avenue were closed. The consultants found that 60 to 80 percent of the traffic on 12th Avenue is NES related. They showed the reassignment of both NES and non-NES traffic to other streets in the area, primarily 11th Avenue and George L. Davis Boulevard (13th Avenue). During the AM peak hour, approximately 365 trips would be diverted, with a slightly smaller number in the PM. In order to accommodate this diverted traffic, the consultant recommended modifications to the signal at 11th Avenue and Charlotte Avenue. The consultant also proposed that the intersection of 12th Avenue North and Church Street become an all-way Stop.

[Public Works] Staff remains concerned about the request because of the loss of area circulation that would result. This would leave 11th Avenue as the only way out of the Gulch area to the north. Although 11th Avenue has a traffic signal at Charlotte and 12th does not, there is still the possibility that 11th could be blocked by an accident or other unanticipated event, and that there would be a need for alternate access. Staff also notes that the recommendations for the 11th/Charlotte intersection would require increasing the signal cycle length, which would disrupt the synchronization of the signals along Charlotte in this area. This is not a reasonable method to accommodate the diverted traffic."

Planning staff recommends **disapproval** for the reasons stated by Public Works staff, and since closing this portion of 12th Avenue North would limit access in the area. Twelfth Avenue North provides a direct connection from Broadway to Charlotte Avenue – the only one in this immediate area.

CONDITION (If approved)

1. Easement rights must be retained for a 12” Water and 12” sewer line.

Mr. Leeman presented and stated that staff is recommending disapproval.

Mr. Bob Murphy, RPM Traffic Engineer, spoke in favor of the mandatory referral.

~~Mr. James Ward, General Council of NES~~ Mr. Gene Ward, General Counsel of NES, spoke in favor of mandatory referral. Amended 12/9/04 See Resolution #2004-432

Mr. Ponder requested clarification on public traffic affected by this request.

Mr. McLean was not in support of this request.

Mr. McLean moved, and Ms. Nielson seconded the motion, to disapprove mandatory referral 2004M-057U-09. **(5-2) No Votes - Ponder, Tyler**

Resolution No. 2004 –338

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-057U-09 is **DISAPPROVED.** **(5-2)”**

- 31. 2004M-082U-13**
Map 136 Parcel
Subarea 13 (2003)
District 29 (Wilhoite)

A request to rename a 1,150 foot section of Anderson Road, between Anderson Road and New Smith Springs Road, to "Old Anderson Road," requested by Metro Public Works.

Staff Recommendation - Approve

APPLICANT REQUEST - Request to rename a 1,150 foot section of Anderson Road, between Anderson Road and New Smith Springs Road, to "Old Anderson Road," requested by Metro Public Works.

There is an older section of Anderson Road that runs north from the newer section of Anderson Road to Smith Springs Road. According to Public Works, many people in the area assume that the name of the older section is “Old Anderson Road,” but the official name of the street is still “Anderson Road.”

Having two separate streets with the same name has caused confusion for emergency services. This request to rename a portion of the road originated with the Metro Emergency Communications Center.

The section of Anderson Road to be renamed “Old Anderson Road” is in Council Districts 29 and 33. Both Councilmembers Wilhoite and Bradley have been informed of the proposed street renaming. Approximately 100 property owners would be affected by the proposed renaming. All property owners have been mailed notices of the proposed renaming.

DEPARTMENT AND AGENCY COMMENTS - No responding departments or agencies take exception.

RECOMMENDATION - The following departments or agencies have reviewed this request and recommended approval: Metro Public Works, Emergency Communications Center, Water Services, Stormwater, and NES.

Planning staff also recommends approval of this request.

Approved (7-0), *Consent Agenda*

Resolution No. 2004 –339

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-082U-13 is **APPROVED. (7-0)**”

32. **2004M-084U-05**
Map 72-06, Parcel 296.01
Subarea 5 (1994)
District 7 (Cole)

A request for an easement acquisition at 1100 Kirkland Avenue, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0714.

Staff Recommendation - *Approve*

APPLICANT REQUEST - A request for an easement acquisition at 1100 Kirkland Avenue, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0714.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (7-0), *Consent Agenda*

Resolution No. 2004 –340

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-084U-05 is **APPROVED. (7-0)**”

33. **2004M-085U-10**
Map 104-11, Parcel 193
Subarea 10 (1994)
District 18 (Hausser)

A request for an easement acquisition at 2021 24th Avenue South, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0713.

Staff Recommendation -*Approve*

Staff Recommendation - Approve

APPLICANT REQUEST - A request for an easement acquisition at 6605, 6609, 6613, 6617, 6621, 6625 Christiansted Lane, for permanent drainage easement, requested by Metro Water Services, Project No. 03-D-0613.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (7-0), *Consent Agenda*

Resolution No. 2004 –343

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-087G-12 is **APPROVED. (7-0)**”

36. **2004M-088G-06**
Map155-12, Parcel 2
Subarea 6 (2003)
District 35 (Tygard)

A request for easement acquisition at 8116 Highway 100, requested by Metro Water Services, Project No. 04-D-0712.

Staff Recommendation - Approve

APPLICANT REQUEST - A request for easement acquisition at 8116 Highway 100, requested by Metro Water Services, Project No. 04-D-0712.

APPLICATION REQUIREMENTS - None

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

Planning staff also supports the request.

Approved (7-0), *Consent Agenda*

Resolution No. 2004 –344

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-088G-06 is **APPROVED. (7-0)**”

37. **2004M-089U-12**
Map 147, Parcel 6
Subarea 12 (2004)
District 27 (Foster)

Staff Recommendation - *Approve.*

APPLICANT REQUEST

A request for an easement abandonment and relocation at Gale Lane (unnumbered), requested by Barge Waggoner Sumner & Cannon, Inc.

APPLICATION REQUIREMENTS - None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Stormwater, Emergency Communications Center, and Nashville Electric Service.

Planning staff also supports the request.

Approved **(7-0)**, *Consent Agenda*

Resolution No. 2004 –346

“BE IT RESOLVED by the Metropolitan Planning Commission that 2004M-094U-10 is **APPROVED. (7-0)**”

XII. OTHER BUSINESS

40. Contract Renewals for Ryan Latimer, Robert Leeman and Anita McCaig

Approved **(7-0)**, *Consent Agenda*

41. Extension of contract between Metro and Wilbur Smith Associates for the Regional Freight and Goods Movement Study: Phase I

Approved **(7-0)**, *Consent Agenda*

42. Technical Assistance Contract between Metro Planning Commission (on behalf of the Metro Planning Organization) and the City of Lebanon for planning services"

Approved **(7-0)**, *Consent Agenda*

43. Technical Assistance Contract between Metro Planning Commission (on behalf of the Metro Planning Organization) and the City of Hendersonville for planning services"

Approved **(7-0)**, *Consent Agenda*

44. Technical Assistance Contract between Metro Planning Commission (on behalf of the Metro Planning Organization) and the Greater Nashville Regional Council for planning services"

Approved **(7-0)**, *Consent Agenda*

45. Subdivision Regulation Amendments

Ms. Hammond presented and stated that staff is recommending approval; however, due to an advertising notice, staff is recommending to continue the public hearing until October 14 to allow time for the required public notice be given, and then approve the text amendment on October 14, 2004.

A builder/developer was present and requested further clarification on the proposed text amendment.

Ms. Nielson moved and Mr. McLean seconded the motion, which passed unanimously, to continue the Public Hearing on the Subdivision Regulation Amendments until October 14, 2004. **(7-0)**

46. Executive Director Reports

47. Legislative Update

XIII. ADJOURNMENT

The meeting adjourned at 8:55 p.m.



Chairman

Secretary