



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

Zone Change 2004Z-051G-06
None
None
35 – Tygard
9 – Norris
James and Carolyn Gunter, owners
Deferred from May 13, 2004, Commission meeting

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 6.46 acres from commercial neighborhood (CN) and residential (R80) to commercial service (CS) district property at Highway 70 S (unnumbered), along the east side of Old Charlotte Pike.

Existing Zoning
CN district

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.

R80 district

R80 requires a minimum 80,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of .58 dwelling units per acre including 25% duplex lots.

Proposed Zoning
CS district

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

BELLEVUE COMMUNITY PLAN POLICY

Residential Low Medium (RLM)

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



Metro Planning Commission Meeting of 9/9/04

Policy Conflict

Yes. The proposed zoning district (CS) is not consistent with the RLM policy, which is intended for residential development within a density range of two to four dwelling units per acre. There is CS zoning adjacent to this parcel, but there was a zone change request to RM15 for this parcel in January. The Commission recommended approval of the RM15 and the bill has been deferred at Council. There is a residential development pattern emerging in this area and more intense commercial development may not be appropriate in this area.

RECENT REZONINGS

Parcel 026 was rezoned in June 2003, from AR2a to RS15. The Commission recommended approval with conditions. The conditions were based on a more detailed TIS and conservation easements for the floodplain/way at the development stage.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

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

Typical Uses in Existing Zoning District: CN and R80

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.46	0.066	18,572	--	19	70

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.46	0.066	18,572		19	70

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	0	0



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

Zone Change 2004Z-093U-14
None
None
14 – White
4 – Nevill
Ross Starnes and Vanessa Saenz, owners
Deferred from July 8, 2004, Commission meeting

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 0.55 acres from residential single-family (RS10) to office limited (OL) district at 2874 Elm Hill Pike.

Existing Zoning
RS10 district

RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

Proposed Zoning
OL district

Office Limited is intended for moderate intensity office uses.

SUBAREA 14 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 OL district is not consistent with the Subarea 14 Plan's RLM policy in this area intended for residential development within a density range of two to four dwelling units per acre. The OL district would allow for office uses within an existing residential neighborhood. This could set a precedent and result in further expansion of these uses along Elm Hill Pike.

RECENT REZONINGS

Parcel 063 was rezoned in May 2004, by Council. The Planning Commission recommended approval in March 2004.



Metro Planning Commission Meeting of 9/9/04

TRAFFIC

A Traffic Impact Study may be required at Development.

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (0)	0.55	3.7	2	20	2	3

Typical Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.55	0.056	1,341	48	6	2

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--			+28	+4	-1

Maximum Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.55	3.7	2	20	2	3

Maximum Uses in Proposed Zoning District: OL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Walk In Bank (911)	0.55	0.198	4,744	NA	102	200

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--				NA	+100	+197



Project No.	Zone Change 2004Z-100G-13
Associated Case	None
Council Bill	None
Council District	33 - Bradley
School District	6 - Awipi
Requested by	Leslie Cappama, owner.
Deferral	Deferred from August 12, 2004, Commission meeting.
Staff Reviewer	Leeman
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 5.12 acres from agricultural/residential (AR2a) to residential single-family (RS20) district property at 2521 Hobson Pike, between South Hampton Boulevard and Ole Nottingham Drive.

Existing Zoning
AR2a district

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

Proposed Zoning
RS20 district

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. The RS20 district would allow approximately 9 single-family homes.

**ANTIOCH-PRIEST LAKE
PLAN POLICY**

Corridor Edge Policy

Corridor Edge is the Structure Plan classification for rural, open areas that extend along segments of a major scenic street such as Hobson Pike. The character of an area designated as CE is generally one that exhibits a sense of preserved open space along the edge of the corridor. CE areas are intended to contain primarily low-intensity residential development or civic open space activities. Examples might include large lot, single-family estate houses; accessory structures for farming activities, or linear parks. CE areas may act as a transition to more intensely developed areas further from the corridor, as well as allowing for appropriate development along major streets that are scenic in character.



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Policy Conflict

No. The proposed RS20 zoning district is consistent with the Antioch Priest Lake's Corridor Edge Policy, calling for large lots that will serve as a transition to the higher intensity development farther from the corridor. The back portion of this property contains a TVA easement where buildings will not be permitted.

RECENT REZONINGS

None.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

No Exception Taken

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 ()	5.12	0.5	3	29	3	4

Typical Uses in Proposed Zoning District: RS20

Land Use (ITE Code)	Acres	Units Per Acre	Total number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached ()	5.12	1.85	9	106	9	12

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
--	--			+77	+6	+8

METRO SCHOOL BOARD REPORT

Projected student generation Schools Over/Under Capacity

2 Elementary 1 Middle 1 High
 Students would attend a new elementary school, Kennedy Middle School, and Antioch High School. **Since elementary school figures for the 2004-05 school year are not yet available, these school generation numbers were determined using the Maxwell Elementary school figures. The Maxwell Elementary School zone is on the other side of Hobson Pike.** All three schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster and a high school at an adjacent cluster (McGavock, Maplewood, Whites Creek, and Stratford). There are



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Fiscal Liability

no middle schools with capacity in the Antioch cluster. This information is based upon data from the school board last updated January 16, 2004.

The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$13,000 for additional school capacity in this cluster. A new middle school is presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

Planned School Capital Improvements

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



Project No.

Zone Change 2004Z-108U (Sunnyside at Sevier Park)

Associated Case
Council Bill
Council District
School District
Requested by
Deferral

None
None
17 – Greer
7 – Kindall
Metro Historical Commission, applicant
Deferred from the August 26, 2004 meeting

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

To apply the Historic Landmark Overlay District to Sunnyside at Sevier Park at 3000 Granny White (20.43 acres), requested by the metro Historical Commission.

Existing Zoning

R8 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

SUBAREA 10 POLICY

Major Public Open Space

MPOS policy is intended to accommodate existing major public recreational and open space areas for active and passive use. The primary types of land use in MPOS policy are recreational activities that are accessible to the general public on land that is under public ownership or control.

Policy Conflict

No. This Historic Landmark Overlay Districts is consistent with the Major Public Open Space policy, which was considered during the subarea planning process.

At its August 18, 2004 meeting, the Metro Historic Zoning Commission (MHZC) determined the Sunnyside at Sevier Park is “historically significant” in accordance with Section 17.36.120 of the Metro Code.

The MHZC also adopted design guidelines for this historic landmark district.



Metro Planning Commission Meeting of 9/9/04

RECENT REZONINGS

None.

TRAFFIC

This rezoning is not expected to have a significant effect on traffic in these areas.

METRO SCHOOL BOARD REPORT

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

Maximum Uses in Existing Zoning District: CN and R80

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	6.46	0.25	70,349	--	142	158

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	6.46	0.60	168,838		174	633

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

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	+32	+475



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

Zone Change 2004Z-118U-12
None
None
27 – Foster
2 – Blue
Frank Ricci, applicant/owner

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 4.57 acres from residential (R6) to residential multi-family (RM20) district at J. J. Watson Avenue (unnumbered) and Winston Avenue West (unnumbered)

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. This R6 district allows approximately 35 dwelling units currently.

Proposed 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 allow for approximately 91 single-family homes.

SOUTHEAST COMMUNITY 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

No. The proposed zoning district (RM20) is consistent with the Southeast Community Plan’s RMH policy calling for residential development within a density range of nine to twenty dwelling units per acre. It is also consistent with the surrounding zoning pattern with RM15 adjacent to the property and RM20 to the north of the property.



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Residents have indicated that this area is within a historic overlay district called Lake Providence. Staff has researched this and found that there is a historic marker in the area recognizing the historical significance of the community, however, there is not an overlay district in this area. The marker references a school and church that is no longer standing and references the street names in the area that are named after African-American settlers.

Residents also indicated the possibility of two cemeteries and a cave being located on the property. Staff has researched the cemetery issue and found that a cemetery is located on the adjacent property (not in the rezoning request) at the terminus of Winston Avenue. If a cemetery is found on the property during the development stage, the area will have to be protected and a 10 foot buffer would be required. If a cave is found on the property, this will also have to be protected according to state law.

Staff recommends approval of the RM20 district, however, the Commission may want to consider RM15 as an alternative zoning district due to the concerns explained above.

RECENT REZONINGS

Parcels 29, 30, and 34 were rezoned from R6 to MUL in November 2003. The Planning Commission recommended approval on September 25, 2003.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

No Exception Taken.

Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	4.57	6.18	28	324	30	35

Typical Uses in Proposed Zoning District: RM20

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)	4.57	20	91	590	48	56

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



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Land Use (ITE Code)	Acres	--	Total Number of units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+63	266	18	21

METRO SCHOOL BOARD REPORT

Projected student generation Schools Over/Under Capacity

7 Elementary 5 Middle 4 High

Students would attend Tusculum Elementary School, McMurray Middle School, or Overton High School. All three schools have been identified as being over capacity by the Metro School Board. There is capacity at an elementary school and middle school within the cluster and a high school at an adjacent cluster (Glenclyff, Hillsboro, and McGavock). This information is based upon data from the school board last updated January 16, 2004.

Planned School Capital Improvements

Location	Project	Projected Date
McMurray Middle	Renovation	FY06-07
Tusculum Elementary	Renovation	FY07-08



Project No.	Zone Change 2004Z-119G-12
Associated Case	2004P-024G-12
Council Bill	None
Council District	31 - Toler
Council District	2 - Blue
School Board District	
Requested By	Lose & Associates, Inc., applicant, for Turnberry Homes, LLC, owner.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Defer</i>

APPLICANT REQUEST

Rezone 20 acres from residential (R20) to residential (RS15) as part of a requested new Planned Unit Development. The property is located east end of Palomar Court and Christiansted Lane, as well as west of the terminus of Bradford Hills Drive.

Existing Zoning
R20 district

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

Proposed Zoning
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.

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 that must be constructed with this



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Policy Conflict

subdivision to prevent a high-speed cut-through while still providing for the necessary connection.

Although the rezoning portion of this application is consistent with the Subarea Plan, the associated PUD plan must be revised to address traffic calming issues prior to this rezoning being considered. The associated PUD plan proposes to develop a 47-lot subdivision with a density of 2.3 lots per acre. This tract could actually support a total of 49 lots under the RS15 zoning. This PUD proposal is utilizing the cluster option to reduce lot sizes because of hillside / slope constraints. This option is used when environmental constraints prevent the applicant from achieving full density capability. Staff will recommend approval of the zone change once the traffic calming issues have been addressed since the density and development pattern of the proposed PUD are consistent with the RLM policy.

RECENT REZONINGS

No.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

All of Public Works' comments were addressed by the applicant.

Typical Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Density per acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	20	1.85	37	416	36	44

Typical Uses in Proposed Zoning District: RS15/PUD

Land Use (ITE Code)	Acres	Density per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Residential Condo/townhome (230)	20	2.47	47*	337	29	33

*number of lots will be limited to 47 with the PUD

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

Land Use (ITE Code)	Acres	--	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--			+10	79	7	11



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METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 1 Middle 4 High

Schools Over/Under Capacity

Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. Overton has been identified as being over capacity by the Metro School Board. There is available capacity at the adjacent Glenclyff, Hillsboro, and McGavock high school clusters. This information is based upon data from the school board last updated January 16, 2004.



Project No.	Planned Unit Development 2004P-024G-12
Project Name	Christiansted Valley Subdivision
Associated Case	2004Z-119G-12
Council Bill	None
Council District	31 - Toler
School Board District	2 - Blue
Requested By	Lose & Associates, Inc., applicant, for Turnberry Homes, LLC, owner.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Defer to allow roads to be redesigned</i>

APPLICANT REQUEST
Preliminary PUD

Request to adopt a preliminary Planned Unit Development to allow for 47 single-family lots on 20 acres. The property is located east end of Palomar Court and Christiansted Lane, as well as west of the terminus of Bradford Hills Drive.

PLAN DETAILS
Site Design & Access

The plan proposes 47 single-family lots that will be provided along three new public streets. The “connector” street will be an eastward extension of Christiansted Lane that will extend across the property and stub into the easternmost property line at the Holt Hills Road private roadway easement. This new roadway, designated as a local street with 50 feet of right-of-way, is 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 ROW, will extend south off of the Christiansted Lane extension. Sidewalks are being provided along both sides of all new streets.

Environmental

There are hillside / slope constraints associated with this subdivision proposal. The applicant is using the cluster option by reducing 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



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plan that has been submitted would ultimately create 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 defer consideration of this PUD until the extension of Christiansted Lane can be redesigned to include traffic calming-like geometric designs that will require traffic on this connector road to travel at a reasonable speed. In the alternative, Palomar Court could be used as the connector street to Bradford Hills Drive because it would allow a connection without creating a straight and unbroken connection that may encourage unsafe traffic speeds.

ZONING & LAND USE POLICY

R20 to RS15

*Southeast Community Plan
RLM Land Use Policy*

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 47 single-family lots.

The proposed density for the subdivision is 2.3 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. Prior to Final PUD approval, the plan must be revised to provide traffic calming devices to help slow traffic. If these devices cannot be installed within the roadway, then Palomar Court shall be used as the connector street to help off-set the straight-line approach between Christiansted Lane and Bradford Hills Drive.
2. A Tree Preservation / Removal and Grading Boundary Plan (24x36) must be submitted prior to,



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or in conjunction with, the submittal of the Final PUD application.

3. 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.



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

Zone Change 2004Z-120G-12
None
None
32 – Coleman
2 – Blue
Anderson-Delk & Associates, Inc., applicant for or SAF Properties, Thelma Clark, and Charles and Martha Dornan, owners.

Staff Reviewer
Staff Recommendation

Harris
Disapprove due to major infrastructure deficiency.

APPLICANT REQUEST

Rezone 59.15 acres from agricultural/residential (AR2a) to residential single-family (RS10) district to a portion of property at 5917, 5937, 5943, 5869 Pettus Road and Pettus Road (unnumbered).

Existing Zoning
AR2a district

Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. This AR2a district allows approximately 30 dwelling units currently.

Proposed Zoning
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 district would allow for approximately 219 single-family homes.

SOUTHEAST COMMUNITY PLAN POLICY

Residential Low Medium (RLM)

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

Policy Conflict

The proposed zoning district (RS10) is consistent with the Southeast Community Plan’s RLM policy, however, it is located within a major infrastructure deficiency area. These areas are areas where the existing road and



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school conditions are not "...sufficient to handle current or expected population needs." Because this property is located within an infrastructure deficiency area, this zone change may not be appropriate at this time.

Pettus Road may be considered a substandard road and would be the major road providing access for this development. There are three required street connections shown on this property in the recently adopted Southeast Community Plan, which will be considered during the platting stage, if this property is rezoned. A street will be required to connect to the subdivision to the west (Hidden Creek Subdivision) providing another access point to Old Hickory Blvd., which may also be considered a substandard road.

Staff is working on a transportation deficiency checklist that is scheduled to be presented to the Commission at its September 23, 2004, meeting. The list will allow for evaluation of the importance and timing of these street connections in these deficiency areas.

At the June 26, 2003, meeting, the same request was made (with the exception of 18.82 acres in the request today) to rezone 40.33 acres from AR2a to RS10. There was concern by neighbors and the Commission about Swirl Canyon Cave and sinkholes on the property. The Commission voted to recommend disapproval of the request, citing concerns about safety and ecological issues that needed to be addressed. If the cave is on this site, the Southeast Community Plan states that Swirl Canyon Cave should be preserved.

Geotechnical Study

The applicant has indicated a geotechnical study has been completed. At the time of this report, the applicant has not provided staff with a copy of this report.

RECENT REZONINGS

Parcels 141 and 008 (also included in this zone change request) were disapproved for a rezoning by the Planning Commission on June 26, 2003, and the Council bill ultimately was withdrawn.

TRAFFIC PUBLIC WORKS



Metro Planning Commission Meeting of 9/9/04

RECOMMENDATION

A Traffic Impact Study (TIS) will be required at development.



Metro Planning Commission Meeting of 9/9/04

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)	59.15	0.5	30	344	31	37

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	59.15	3.7	219	2144	163	218

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
--				1800	132	181

METRO SCHOOL BOARD REPORT

Projected student generation Schools Over/Under Capacity

42 Elementary 30 Middle 25 High

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

Fiscal Liability

The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$169,000 for additional school capacity in this cluster. A new middle school is programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

Planned School Capital Improvements

Location	Project	Projected Date
Antioch Cluster	New middle school	FY03-04



Project No.
Associated Case
Council Bill
Council District
School Board District
Requested By

Zone Change 2004Z-121G-12
2004P-023G-12
None
31 - Toler
2 - Blue
Anderson-Delk & Associates, Inc., applicant, for
Thomas E. and Donna F. Sirmeyer, owner.

Staff Reviewer
Staff Recommendation

Mitchell
Approve

APPLICANT REQUEST

Rezone 6.6 acres at 6515 Holt Road from agriculture / residential (AR2a) to residential (RS10) as part of a requested new Planned Unit Development. The property is located along the south side of Holt Road, approximately 1/2 mile west of Nolensville Pike.

Existing Zoning
AR2a district

AR2a 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 non-urban land use policies of the general plan.

Proposed Zoning
RS10 district

RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

**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.

Natural Conservation (NCO)

NCO is a category designed for mostly undeveloped areas characterized by the widespread presence of steeply sloping terrain, unstable soils, floodplains or other environmental features that are constraints to



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Policy Conflict

development at urban or suburban intensities. NCO areas are intended to be rural in character, with very low intensity development. Development should be clustered on the less physically constrained area of a site. In addition, clustering should be used to preserve important features such as viewsheds and stands of mature trees.

No. The associated PUD plan proposes to develop a 17-lot subdivision with a density of 2.6 lots per acre. This tract could actually support a total of 24 lots under the RS10 zoning, but the applicant is only providing 17 lots so as to minimize impacts on the adjacent floodplain and floodway of Holt Creek. Therefore, staff is recommending approval of the zone change since the density and development pattern of the proposed PUD are supported by the RLM policy, as well as for the fact that the entire NCO area is being preserved from development.

RECENT REZONINGS

No

TRAFFIC PUBLIC WORKS RECOMMENDATION

All comments were appropriately addressed by the applicant.

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	6.6	0.5	3	29	3	4

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	6.6	3.7	17	163	13	18

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
--	--			134	10	14



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METRO SCHOOL BOARD REPORT

Projected student generation

1 Elementary 1 Middle 1 High

Schools Over/Under Capacity

Students would attend Shayne Elementary School, Oliver Middle School, and Overton High School. Overton has been identified as being over capacity by the Metro School Board. There is available capacity at the adjacent Glenclyff, Hillsboro, and McGavock high school clusters. This information is based upon data from the school board last updated January 16, 2004.



Project No.
Project Name
Associated Case
Council Bill
Council District
School Board District
Requested By

Planned Unit Development 2004P-023G-12
Rosedown Subdivision
2004Z-121G-12
None
31 - Toler
2 - Blue
Anderson-Delk & Associates, Inc., applicant, for
Thomas E. and Donna F. Sirmeyer, owner.

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions, and approval of variance request to construct 14 of the 17 lots fronting Open Space / Village Green with rear alley access.

APPLICANT REQUEST
Preliminary PUD

Request to adopt a preliminary Planned Unit Development at 6515 Holt Road to allow for 17 single-family lots on 6.6 acres. The site is located along the south side of Holt Road, approximately 1/2 mile west of Nolensville Pike.

PLAN DETAILS
Site Design

The plan proposes 17 single-family lots, where three of the lots will have direct access of a new public street or Holt Road. The remaining 14 lots are located in the center portion of the tract and all front an Open Space / Village Green area with a rear alley that loops behind the 14 lots. Sidewalks are being provided along Holt Road and along both sides of the new public street. In lieu of a sidewalk being provided along the rear-access alleyway, a meandering sidewalk is provided throughout the center Open Space / Village Green area.

Access

Access to the subdivision development will be via a new 46-foot roadway extending south off of Holt Road. Within the subdivision, the applicant has provided two points of future access to the east and west to areas of future development.

Environmental

Floodplain associated with the Holt Creek is located along the southernmost portion of the tract. This area is located within Natural Conservation land use policy and is proposed to be completed preserved from development. The 6.6-acre tract would actually support 24 lots under the RS10 zoning district, but the applicant has only proposed 17 lots as part of this subdivision.



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ZONING & LAND USE POLICY

AR2a to RS10

*Southeast Community Plan
RLM & NCO Land Use Policies*

This request for preliminary PUD approval is associated with a zone change request to change from AR2a to RS10 to allow for the development of the single-family lots.

The proposed density for the subdivision is 2.6 lots per acre. The RLM policy supports this density and the proposed development pattern. Regarding the Natural Conservation area, this is proposed to remain in its natural state and not be impacted by the development.

SUBDIVISION DETAILS

*Lot Frontage
Sec. 2-4.2a*

Staff Analysis

The Metro Subdivision Regulations require that each [new] lot shall have frontage on a public street or, where permitted, on a private street to enable vehicular access to be provided.

Based on the PUD plan that was submitted, adequate vehicular access is provided via the rear-access alley that is proposed to run behind all 14 lots that will have frontage onto a large Open Space / Village Green area. Staff recommends approval of this variance from the Subdivision Regulations.

METRO PUBLIC WORKS' RECOMMENDATION

Detailed comments were provided by Metro Public Works and adequately addressed by the applicant's representative.

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. 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.



Project No.	Zone Change 2004Z-125U-05
Associated Case	97P-036U-05
Council Bill	None
Council District	7 - Cole
Council District	5 - Hunt
School Board District	
Requested By	Ragan Smith and Associates, Inc., applicant, for Redbird Properties, optionee, and Senliff, LLC, owner.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 5.07 acres from residential (RS10) to residential (RM9) at Cooper Lane (unnumbered) as part of a request to amend the existing Planned Unit Development. The property is located in the East Nashville area along both sides of Cooper Lane, approximately 1/2 mile south of McGavock Pike.

Existing Zoning
RS10 district

RS10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre.

Proposed Zoning
RM9 district

RM9 is intended for single-family, duplex and multi-family dwellings at a density of 4 dwelling units per acre.

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.

Policy Conflict

Although the RM9 district is not consistent with the RLM policy calling for two to four dwelling units per acre, the associated PUD plan will limit the overall density of the development to less than four dwelling units per acre, which is consistent with the plan. The associated PUD plan provides a mix of housing types to create a more traditional neighborhood. The provision of the 38 internal townhomes, in addition to the 115 single-family lots, in the PUD provides a net density of



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only 2.6 lots / units per acre – which is consistent with the RLM density range.

RECENT REZONINGS

No.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

All comments were appropriately addressed by the applicant.

Typical Uses in Existing Zoning District: RS10

Land Use (ITE Code)	Acres	Density per acre	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	5.07	3.7	19	226	23	24

Typical Uses in Proposed Zoning District: RM4/PUD

Land Use (ITE Code)	Acres	Density per acre	Total Number of units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Low rise townhome/condo (210)	5.07	4	38*	427	37	45

*Number of units proposed in the multi-family portion of the PUD

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
				201	14	21

METRO SCHOOL BOARD REPORT

Projected student generation

6 Elementary **4** Middle **3** High

Schools Over/Under Capacity

Students would attend Inglewood Elementary School, Dalewood Middle School, and Stratford High School. No school has been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

These school numbers only reflect the portion of property being rezoned to RM9.



Project No.
Project Name
Associated Case
Council Bill
Council District
School Board District
Requested By

Planned Unit Development 97P-036U-05
The Parks at Riverwood PUD
2004Z-125U-05
None
7 - Cole
5 - Hunt
Ragan Smith and Associates, Inc., applicant, for Redbird Properties, optionee, and Senliff, LLC, owner.

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions

APPLICANT REQUEST
PUD Amendment

Request to amend the preliminary Planned Unit Development, originally approved by Metro Council in 1997, for a 600-unit residential complex of which 219 units were set aside as an assisted living facility, to now allow for 115 single-family lots and 38 townhomes on 59.10 acres. The property is located in the East Nashville area along both sides of Cooper Lane, approximately 1/2 mile south of McGavock Pike.

PLAN DETAILS
Site Design

The new PUD plan proposes 115 single-family lots located along an interconnected system of new public streets and private alleyways. Internal to the site 38 townhomes will be provided along a divided boulevard. All townhome units front this divided roadway and the Open Space / Village Green area in-between the streets. The wider roadways (52 feet in width) throughout the development allow for a larger (6.5-foot) planting strip and on-street parking. The applicant offered these latter provisions without requirement by Metro Government.

Access

Access to the development will be via two new street connections. The main entrance to the site is off of Cooper Lane, and the second will be located at the intersection of Riverwood Circle and Demarius Drive. An original connection from the 1997 plan to Sandy Drive has been removed and agreed-upon by staff and the district Councilmember since the neighboring community objected to the connection. However, a 5-foot paved pedestrian trail will be constructed from the development to Sandy Drive within that same right-of-way area. About 37% of the single-family lots will



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Environmental

have front-loaded access, while the remaining lots and all townhomes will be accessed via a rear-access private alley system. Staff recommends that all lots with front-loaded access should be designed with the garage behind the front façade of the house.

There are no significant environmental constraints associated with this new PUD plan. The second piece to this PUD overlay, which is located on the south, or west, side of Cooper Lane is primarily all floodplain and will not be developed. The applicant is currently engaging in negotiations with Metro Parks and Greenways to dedicate the 24-acre portion to Metro for a Greenway extension from Shelby Bottoms and parkland.

ZONING & LAND USE POLICY

RS10 to RM9 (5.07 internal acres)

This request for an amendment to the preliminary PUD plan is associated with a zone change request to change approximately 5.07 acres from RS10 to RM9 to accommodate the 38 townhome units.

Subarea 5 Plan

RLM Land Use Policy

The provision of the 38 internal townhomes in addition to the 115 single-family lots provides a net density of only 2.6 lots / units per acre, which is consistent with the RLM density range.

METRO PUBLIC WORKS' RECOMMENDATION

“We have reviewed the Traffic Impact Needs Assessment letter received 8/9/04 and have prepared the following conditions for approval of this project.”

1. The developer shall construct a northbound left turn lane with 75 ft of storage and transition per AASHTO standards on Cooper Lane at McGavock Pike
2. The developer shall construct a southbound left turn lane with 75 ft of storage and transition per AASHTO standards on Cooper Lane at the project access.
3. Provide adequate sight distance at the project access and Cooper Lane intersections and project access at Demarius Drive.



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4. Dedicate required ROW along Cooper Lane frontage to provide appropriate street cross section.

CONDITIONS

1. Public Works' conditions, as listed above, shall be incorporated into the PUD plan prior to final PUD approval.
2. All rights-of-way (stub streets) not utilized by this development and proposed for abandonment shall be properly abandoned by Metro Council prior to the first final PUD approval.
3. No development shall occur on the 24.36-acre portion of property south, or west, of Cooper Lane without re-approval as an amendment to the PUD by Metro Council.
4. 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.
5. 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. Houses on all lots with front-loaded access must be designed with the garage behind the front façade of the house.



Project Name
Associated Cases
Council District
School District
Requested By

Project No. Subdivision 2004S-242U-03
Brookview, Preliminary Plat
None
3 - Hughes
1 - Thompson
Centex, developer and Gresham-Smith and Partners, engineer.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

A request for preliminary plat approval to create 228 single-family lots on 76.8 acres (2.96 dwelling units per acre) abutting the north side of Ewing Drive opposite Vista Lane.

ZONING
RS7.5 District

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

SUBDIVISION DETAILS

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

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The plan proposes 17.3 acres of open space (22%), which complies with this provision.

Floodplain/Floodway

The proposed subdivision contains floodway and floodplain of Ewing Creek. On March 18, 2003, the Metro Council adopted changes to the Zoning Code requiring 50% of the natural floodplain to remain undisturbed with any new development (Council Bill BL2002-1021). This plat leaves 23.57 acres out of 39.29 acres in a natural state, or 60% of the floodplain

Greenway Dedication

The applicant has shown the required dedicated greenway and conservation public access easement of the floodway plus 75 feet.



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TRAFFIC PUBLIC WORKS RECOMMENDATION

1. The existing southbound left turn lane on Knight Road at Whites Creek Pike has 170 feet of storage. The developer shall construct an additional 115 feet of storage for a total southbound left turn lane storage length of 285 feet with transition per AASHTO standards.
2. Dedicate 5 feet of right-of-way along Knight Road frontage. Dedicate a minimum 30 feet of right-of-way from road centerline along Ewing Drive frontage plus the right-of-way necessary to construct a bus pull-off bay.
3. Construct 1/2 of Collector cross section along Ewing Drive frontage.
4. Access Road A shall be 36 feet wide with 2 exit lanes and 1 entering lane. Align with the 36 feet wide Vista Lane opposite Access Road A. Re-stripe Vista lane to align lanes with Access Road A.
5. Provide adequate sight distance at Access Road A and Ewing Drive. Remove vegetation as necessary to provide AASHTO standard sight distance. Submit sight distance documentation to Public Works for review and approval.
6. Per the TIS, in order to incorporate the existing transit stop on Ewing Dr at the project access road, developer shall construct a bus pull-off bay with tapers prior to the construction of Access Road A.

CONDITIONS

1. All lots located within the floodplain need to be designated as critical, requiring a critical lot review prior to the issuance of a building permit.
2. Comply with all Public Works' conditions of approval.



Project No.
Project Name
Associated Case
Council District
School District
Requested by

Subdivision 2004S-250G-14
Tulip Reserve Subdivision
None
12 – Gotto
4 – Nevill
John N. Brasel, owner, Barge, Waggoner, Sumner & Cannon, surveyor

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Subdivide 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 Road and Old Lebanon Dirt Road.

CONDITIONS AS PER METRO PUBLIC WORKS

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).



Project No.
Project Name
Associated Case
Council Bill
Council District
School Board District
Requested By

Subdivision 2004S-180U-03
G.T. Sheegog Subdivision
None
None
2 - Isabel
1 - Thompson
Cantrell – Kemp, LLC, surveyor, applicant, for R. Gregg Poole, owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions, including a variance from sidewalk requirement along South Hamilton Road

APPLICANT REQUEST
Final Plat with Variance Request

Request for final plat approval for a 2-lot subdivision, and a request for variance to construct a sidewalk along South Hamilton Road. The property is located along the north side of South Hamilton Road, approximately 275 feet east of Hydes Ferry Road.

ZONING
RS10

RS10 district requires a minimum lot size of 10,000 square feet and is intended for single-family dwellings at an overall density of 3.7 dwelling units per acre.

VARIANCE REQUESTS
Section 2-6.1
Sidewalk Construction:

The applicant is requesting a variance for sidewalk construction along the north side of South Hamilton Road fronting the newly-created lot. The stated hardship is that “there are no sidewalks in the area.”

A section of sidewalk approximately 100 feet in length would require significant reconstruction of the roadway including construction of a curb and gutter system for a relatively short section of sidewalk in a mid-block location, which is inconsistent with good planning and design.

PUBLIC WORKS’
RECOMMENDATION

No exception taken



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STAFF RECOMMENDATION

Staff recommends approval of the final plat and the sidewalk variance request.



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

Subdivision 2004S-231U-12
Chester Maxwell
None
30 - Kerstetter
2 – Blue
Meridian Construction, developer, J. Franklin and Associates, surveyors.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions, including a sidewalk variance

APPLICANT REQUEST
Final Plat

Request to create 3 lots from an existing 0.89 acre tract, located on the east margin of Taylor Road and the north margin of Flora Maxwell Road.

ZONING
R6 District

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

SUBDIVISION DETAILS

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

Two lot comparability tests were conducted since the proposed lots front on two different streets:

- The Flora Maxwell Road lot comparability analysis of the relevant lots yielded a minimum allowable lot size of 6,882 square feet and a minimum allowable frontage of 58.3 feet. Both proposed lots fronting Flora Maxwell pass comparability.
- The Taylor Road lot comparability analysis of the relevant lots yielded a minimum allowable lot size of 8,167.5 square feet and a minimum allowable frontage of 45.9 feet. The proposed lot on Taylor Road passes lot comparability.

SIDEWALK VARIANCE REQUEST

A sidewalk variance has been requested along the frontage of Taylor Road (approximately 64 feet) and the frontage of Flora Maxwell Road (approximately



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130 feet). The existing pavement is approximately 20 feet wide. Drainage is handled through roadside ditches. There are also underground water and sewer lines located on the east side of Taylor Road. The addition of a sidewalk, curb and gutter would also require approximately 3 additional feet of roadway.

Staff recommends approval of the sidewalk variance. This section of sidewalk, approximately 194 feet in length and non-contiguous, will require moderate reconstruction of the roadway with curb and gutter for a relatively short section of sidewalk in two mid-block locations, which is inconsistent with good planning and design.

PUBLIC WORKS RECOMMENDATION

No exception taken.

CONDITIONS

1. Final approval of the plat must be received from Metro Water Services prior and any comments addressed prior to the recording of the final plat.
2. The following parcel numbers need to be added to the final plat prior to recording: Lot 1 (Parcel 249), Lot 2 (Parcel 250) and Lot 3 (Parcel 251).



Project No.
Project Name

Planned Unit Development 84-87-P-13
Crossings at Hickory Hollow, Crossings
Circle Extension

Associated Case
Council Bill
Council District
School Board District
Requested By

None
None
32 - Coleman
6 - Awipi
Littlejohn Engineering Associates, applicant for Crews
Investment Properties of TN, LLC, owner

Staff Reviewer
Staff Recommendation

Fuller
*Approve with conditions pending an appeal from the
Stormwater Management Committee for stream
crossing and buffer disturbance.*

APPLICANT REQUEST
Final PUD approval

**Request for Final PUD approval for grading and
road construction to extend Crossings Circle by
approximately 800 feet.**

PLAN DETAILS

The proposed road construction is consistent with the
approved Preliminary PUD plan.

**PUBLIC WORKS’
RECOMMENDATION**

No exceptions taken

CONDITIONS

1. Comply with any conditions of the Stormwater
Appeal Committee.



**Project No.
Project Name**

**Planned Unit Development 97P-027G-06
Vastland Bellevue Condominiums
(fka Royce Bellevue Condominiums)**

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

None
None
22 - Crafton
9 - Norris
Barge, Waggoner, Sumner and Cannon, Inc., applicant,
for The Senior Group, owner.

**Staff Reviewer
Staff Recommendation**

Mitchell
Approve with conditions

**APPLICANT REQUEST
Revise Preliminary & Final PUD**

Request to revise the Council-approved Planned Unit Development and for final PUD approval to allow for the development of 115 townhomes and 11 single-family lots on 28.94 acres. The property is located in the Bellevue area along the west side of Old Hickory Boulevard, approximately 2/3 of a mile north of Highway 70S.

PLAN DETAILS

History:

This residential PUD was originally adopted by the Metro Council in 1997 and allowed for the development of 115 multi-family / townhouse units and 11 single-family lots on the 29-acre tract. The property was never developed and has since remained vacant. This applicant is seeking to develop the same number of units and lots, but within a different design and layout.

Access:

Access to and from the townhouse site will be via one point of ingress / egress off of Old Hickory Boulevard. The 11 single-family lots will not have direct access to the townhomes due to severe topographic / slope constraints and as well as the desire to keep the uses separated. The single-family lots will be accessed via a northward extension of Summit Oaks Court. This extension will stub out to the west to allow for future lot development on adjacent parcels.

Environmental Concern

This site is heavily encumbered by hillside / slope that limits the amount of development on the site. The steeper hillsides have been preserved by placing the majority of all townhome units within the floor of the



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valley immediately adjacent to Old Hickory Boulevard. The remaining 11 lots will be placed on a north-south ridgeline that extends Summit Oaks Court.

ZONING & LAND USE POLICY

R15

Although this site is currently zoned R15, which calls for single-family and duplex lots on 15,000-square foot lots, the PUD provisions prior to 1998 allowed for a PUD to be adopted on property regardless of the base zone. Today, the base zone is required to be changed / updated to be made consistent with the proposed development only when the PUD plan must be heard as an amendment by the Metro Council.

RLM Land Use Policy

Although the RLM policy calls for 2 to 4 dwelling units per acre, the existence of the 1980 Council-approved PUD plan establishes and allows for the proposed density of 4.3 units per acre.

METRO PUBLIC WORKS' COMMENTS

Technical comments were provided to the applicant by Metro Public Works. All comments were satisfactorily addressed by the applicant.

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. This revision to the 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.
3. 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.
4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and



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fire flow water supply during construction must be met before the issuance of any building permits.

5. 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.
6. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



Project No.	Planned Unit Development 2003P-019U-05
Project Name	McKennie Neighborhood Market
Associated Case	None
Council Bill	None
Council District	5 – Murray
School Board District	5 – Hunt
Requested By	Gresham Smith & Partners, applicant, for Wal-Mart Stores, Inc., optionee.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Final PUD

Request for final Planned Unit Development approval to permit the development of 42,842 square feet of retail/office/restaurant development, where 39,910 square feet is planned for a new grocery and the remaining 2,932 square feet is planned for retail, office, or restaurant. Property is located along the west margin of Gallatin Avenue, 190 feet south of Douglas Avenue.

HISTORY & PROPOSED PLAN
Preliminary PUD Plan

The Metro Council approved the preliminary PUD plan on January 21, 2004. Because this PUD is located within the Urban Zoning Overlay (UZO) district, the Metro Zoning Code establishes contextual street setbacks for properties located within the UZO. At the November 13, 2003 Planning Commission meeting, staff recommended disapproval of the variance requests to the contextual street setbacks for the proposed grocery. The MPC acted to approve the PUD with conditions but recommended disapproval of the variance requests to the Board of Zoning Appeals (BZA). The enabling PUD ordinance stated the following with regards to the contextual street setbacks within the UZO: *“Section 4. Be it further enacted, that prior to final PUD approval by the Planning Commission, either the Board of Zoning Appeals shall approve the variance for building setbacks within the UZO, or revised plans must be submitted to the Planning Commission that comply with the UZO setback requirements. If the Board of Zoning Appeals grants a variance to the UZO setback requirements, the applicant must work with Planning Department staff to*



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1st Final PUD Plan:

establish design standards to create a "hard edge" along the property frontage on Gallatin Road."

The preliminary PUD plan was revised in lieu of requesting a hearing before the BZA for the variances to the UZO street setbacks. The PUD plan as was proposed in February, 2004, brought the building up to Gallatin Pike and located all the parking to the north (side) and rear of the building. In the end, this plan was not satisfactory to Wal-Mart Corporation, so the item was deferred indefinitely.

2nd Final PUD Plan (current)

The current final PUD plan returns the store to the rear of the lot, facing Gallatin Pike, and brings all parking between the storefront and the roadway. Staff is recommending approval of the requested plan pursuant to the following analysis

The first step is to determine whether or not Section 17.12.035 B paragraphs one or two apply. They do not.

The second step is to determine which of the contextual setback criteria of 17.12.035 B3 apply. In order to do this, old aerial photos (1959) and Sanborn maps predating 1950 must be consulted, because the pattern of development immediately adjacent to the site and across Gallatin Pike is so fragmented. There is no apparent pattern and a variety of building types is present. Only pre 1950 storefront commercial buildings are eligible for use as contextual references. On the west side of Gallatin Pike there are three lots between the north boundary of the proposed site and Douglas Avenue. Additionally, a former firestation building is located on the north edge of the proposed site. A telephone exchange building occupies two lots at the corner of Douglas Avenue and the building type is commercial office, although it is occupied primarily by telephone switching equipment. The building next to it is a wood frame residential structure that has been modified for commercial use. At the south end of the site within the proposed site boundary is a pre 1950 storefront building. It is set abutting the proposed south boundary there is a storefront building set back from the frontage that meets the minimum setbacks as measured from the back of the sidewalk. The corner lot has a concrete block commercial structure set way back from the frontage. It is used as an office for a used car



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lot. Across Gallatin Pike from the proposed site there is a church and a former restaurant along the frontage, both set well back from the frontage. The former restaurant building was built after 1950. Therefore, within the contextual reference area set forth under contextual criteria paragraph "a" there are no pre 1950's storefront buildings built up to the street and the one that is closest to the street appears to meet the minimum setback of the zoning district. Therefore, the setback requirements of Table 17.12.030B apply to this proposal.

Contiguous to and immediately south of this location the pattern of storefront commercial development is more uniform and clearly suburban in character on the east side of Gallatin Pike with parking in the front and buildings set way back from the street. The lots on the west side of the street are much shallower and the buildings are closer to the street, but still are back far enough to accommodate off-street head-in parking.

TRAFFIC PUBLIC WORKS' RECOMMENDATION

Approval of the Final PUD plan is conditioned on review and approval of the pavement marking and signal plans.

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



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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.



Project No.

**Urban Design Overlay 2001UD-001G-12
Lenox Village, Phase D**

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

None
None
31 - Toler
2 - Blue
Batson & Associates, applicant, for Lenox Village I & III, LLC, owner

**Staff Reviewer
Staff Recommendation**

Covington / Mitchell
Approve Phase D with conditions, which is consistent with the UDO design concept plan.

**APPLICANT REQUEST
Final UDO**

Approval of final UDO plan for Phase D in order to permit the development of 144 condominiums and townhomes on a total of 7.46 acres.

Plan Design

Moderate intensity of residential development in accordance with a design concept plan and design guidelines.

SOUTHEAST COMMUNITY PLAN

**Policy
Policy Conflict**

Neighborhood General (NG)
No. The UDO determines the density and design of development on this land.

**TRAFFIC
Traffic Study Submitted**

Yes – an amended TIS was required as part of the July, 2003 Council-approved amendment to the UDO. The approved condition required that an amended TIS be submitted and approved prior to the submission of any future requests for a final UDO.

That amended TIS was reviewed and approved with conditions by Metro Public Works. The TIS and associated conditions were addressed by the MPC at the final UDO requests for Phase 5 and the Towncenter. The MPC approved both final UDO requests with a condition that a Phasing / Schedule Plan for traffic mitigation improvements be submitted and approved by Metro Government prior to the recording of any plats.



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The applicant has submitted the phasing plan, and no new plats – including the plats associated with this Phase D – will be recorded until the phasing plan is approved by Metro Public Works.

CONDITIONS

1. Prior to the issuance of any building permits, a complete landscaping plan shall be submitted to the Planning Department for review and approval.
2. Prior to the issuance of any building permits, applicant shall resubmit site plan providing a pedestrian path between the 26-unit row of townhouses.



Project No.

**Urban Design Overlay 2003UD-002U-10
Bedford Avenue, Phase 1, Infrastructure**

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

None
None
25 - Shulman
8 - Harkey
Barge, Cauthen & Associates, Inc., applicant, for
Rochford Development Group. Ownership not
necessary for roadway improvements.

**Staff Reviewer
Staff Recommendation**

Jones / Mitchell
*Approve Infrastructure Improvements; which are
consistent with the UDO design concept plan.*

**APPLICANT REQUEST
Final UDO, Phase 1, Infrastructure**

Approval of first final UDO plan for infrastructure
improvements to Bedford Avenue to create on-street
parallel parking spaces, sidewalks, turn lanes, and
landscaping improvements in open spaces.

**TRAFFIC
PUBLIC WORKS'
RECOMMENDATION**

Detailed comments were provided and adequately
addressed by the applicant. MPW also required an
update to the existing Bedford Avenue Traffic Impact
Study (TIS). These changes are being made and will be
incorporated into the final UDO plan prior to the
issuance of any construction permits.



Project No.	Mandatory Referral 2004M-069G-12
Project Name	Banbury Lane Easement Acquisition
Council Bill	None
Council District	31 – Toler
Requested by	Metro Water and Sewerage Services
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for easement acquisition at 1101 Banbury Lane, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0706.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES). NES also provided a comment that NES has underground facilities on this property.

Planning staff also supports the request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-070G-14
Hermitage Day Care Easement Acquisition
None
14 – White
Metro Water and Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for easement acquisition at 3528 Central Pike, for a permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 04-DL-0708.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES). NES also provided a comment that NES is to retail any/all easements.

Planning staff also supports the request.



**Project No.
Project Name**

**Mandatory Referral 2004M-071U-05
Nashville Auto Diesel College Easement
Acquisition**

**Council Bill
Council District
Requested by**

None
5 – Murray
Metro Water and Sewerage Services

**Staff Reviewer
Staff Recommendation**

Harris
Approve

APPLICANT REQUEST

A request for an easement acquisition at 1016 McClurkan Avenue, for a permanent detention pond easement, requested by Metro Water & Sewerage Services, Project No. 04-DL-0707.

APPLICATION REQUIREMENTS

None

**DEPARTMENT AND AGENCY
RECOMMENDATIONS**

This item is recommended for approval by the Metro Water & Sewerage Services Department, Stormwater, Emergency Communications Center, and Nashville Electric Service (NES). NES also provided a comment that NES is to retail any/all easements.

Planning staff also supports the request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-072G-12
Holt Road Easement Acquisition
None
31 – Toler
Metro Water and Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for an easement acquisition at 6775 Holt Road, for a 10' permanent drainage easement, requested by Metro Water and Sewerage Services, Project No. 03-D-0514.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Emergency Communications Center, and Nashville Electric Service (NES). NES also provided a comment that NES is to retail any/all easements.

Planning staff also supports the request.



Project No.
Project Name

Mandatory Referral 2004M-080U-09
Aerial Encroachment/Sign at 105 Fourth Ave., South

Council Bill
Council District
Requested by

None
06 - Jameson
Cummings Sign Co., for JRS Investments, Inc.

Staff Reviewer
Staff Recommendation

Kleinfelter
Approve

APPLICANT REQUEST

A request for an aerial encroachment to permit a wall-mounted 10-square foot sign 17 feet 9 inches above the ground located at 105 Fourth Ave. South, by Cummings Sign Co., applicant, for JRS Investments, Inc., owner.

The requested sign will extend approximately 2-feet into the right of way from the face of the building.

DEPARTMENT AND AGENCY COMMENTS

No responding departments or agencies take exception. The plans for the sign were reviewed by staff at the Metropolitan Development and Housing Authority (MDHA) because the request is located in the Capitol Mall Redevelopment District. MDHA staff approved the proposed sign.

RECOMMENDATION

The following departments or agencies have reviewed this request and recommended approval: Metro Historical Commission, Metro Public Works, Water Services, Stormwater, and NES.

Planning staff also recommends approval of this request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-081U-08
Alley Closure/Close
None
19 - Wallace
Dr. Jeffrey K. and Jola Moore

Staff Reviewer
Staff Recommendation

Kleinfelter
Approve with conditions

APPLICANT REQUEST

A request to close an unbuilt 63-foot portion of Alley #618, located south of Map 092-08, Parcels 138 and 139, near the intersection of Jo Johnston Avenue and Fisk Street, requested by Dr. Jeffrey K. and Jola Moore, property owners.

The closure of this alley is being requested in order to permit the relocation of a medical office building at the corner of Fisk Street and Jo Johnston Avenue. Closure of the alley will not result in the creation of any landlocked parcels or limit access. All existing adjacent properties will continue to have public access.

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, Water Services, and Stormwater. NES has recommended approval with retention of their easements within the alley.

Planning staff recommends approval with the retention of all existing utility easements.