



Case No.

2006TP-02-06

Request

Amend the Major Street Plan

Associated Cases

2006SP-034G-06

Council Bill

None

Council District

23 – Crafton and 35 – Tygard

School District

9 – Warden

Requested by

Staff

Staff Reviewer

Wood

Staff Recommendation

Approve

APPLICANT REQUEST

Amend the adopted *Major Street Plan* by redesignating the segment of Old Hickory Boulevard between I-40 and Old Charlotte Pike from S4 Scenic 4-lane Arterial to U4 Urban 4-lane Arterial

ANALYSIS

The Major Street Plan is proposed to be amended by redesignating the section of Old Hickory Boulevard between I-40 and Old Charlotte Pike from an S4 Scenic 4-lane Arterial to a U4 Urban 4-lane Arterial. This change is recommended to better coordinate the planned cross-section for this section of Old Hickory Boulevard with its planned land use, which is Commercial Mixed Concentration (CMC). CMC policy is intended to produce a high-intensity mixed use environment that is better suited to a narrower Urban than a Scenic Arterial cross section*, which is more appropriate in lower density environments. Additionally, Old Hickory Boulevard will intersect another U4 Arterial, Charlotte Pike, midway through this section, and will connect to a U4 section of Old Hickory Boulevard south of the section recommended for amendment.

The recommended change would have been included in the forthcoming Major Street Plan update, but a development proposal along Old Hickory Boulevard (Zone Change 2006SP-034G-06) has prompted the timing of this amendment.

*Standard S4 cross section is 150’ total including a landscaping easement while the standard U4 cross section is 84’



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

Zoning Code Text Change 2006Z-017T
None
Substitute BL2005-763
Countywide
Metro Urban Forester (in part)
Councilmember J. B. Loring
Deferred from the August 25, 2005, September 22, 2005, October 13, 2005, and February 9, 2006, Commission meetings.

Staff Reviewer
Staff Recommendation

Regen
Disapprove substitute bill as filed, but approve substitute bill as proposed by Metro Urban Forester.

APPLICANT REQUEST

Amend Zoning Code to modify landscape and buffer yard requirements and standards, prohibit the staking and guying of trees, eliminate need to plant new trees on properties which had no trees prior to construction, and to require a sprinkler system for properties of two acres or more to water vegetation.

ANALYSIS

Status of Council Bill

This council bill is a substitute bill that was introduced on January 17, 2006, to address contractor and developer concerns with the original bill. The original bill was deferred by the Planning Commission at its August 25, September 22, October 13, 2005, and February 9, 2006, meetings. At the last commission meeting, due to several concerns with the bill, Councilmember Loring agreed to defer the bill again at the Council on 3rd reading on February 21, 2006, so the Commission could consider it at its March 9, 2006, meeting. After the Commission acts, the earliest the bill could be considered on 3rd reading would be March 21, 2006, since the Council's March 7th meeting is only for public hearing items.

Existing Law

The current Zoning Code includes landscaping provisions that address the submittal of landscaping plans, the width and location of interior and perimeter site landscaping, tree density factors, parking lot landscaping, and landscape buffer yards along zoning district boundaries.



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Proposed Text Change

This substitute bill was developed by the Metro Urban Forester, and is nearly identical to the original bill in all respects except three. The proposed substitute bill now proposes: 1) prohibiting the staking and/or or guying of trees except when absolutely necessary and approved by the Urban Forester; 2) requiring all properties of two acres or more to water vegetation with sprinklers; and 3) eliminating the planting of new trees on properties which had no trees at time of grading or construction. According to the Zoning Administrator, the third change, which eliminates the need to achieve tree density, was not proposed by the Urban Forester, but was added to the bill before it was filed with the Metro Clerk.

As with the original bill, some new requirements are created or existing ones modified. From a planning perspective, the two most significant changes proposed by this bill are the elimination of landscape buffer yards along certain zoning district boundaries to eliminate “double buffering” and eliminating the planting of new trees on certain properties.

Analysis of Technical Items

It has been over seven years since the current Zoning Code was adopted. In that time, the Urban Forester and Metro Codes Department have learned what works and does not work with the current landscape provisions. Many of the changes proposed by the bill have been developed by Codes staff based upon their field experience in applying the current ordinance. In reviewing the proposed amendment, planning staff has deferred to the Urban Forester and Codes Department on these technical changes, including watering of vegetation, guying of trees, the width of landscape strips, diameter of trees at breast height, size of shrubbery upon initial planting, etc.

For example, when the Zoning Code was initially adopted, property owners were not required to have an automatic sprinkler system to water the landscape. It was at their option to either use sprinklers or a garden hose. The Urban Forester reports that experience has shown few property owners or their employee’s will water the landscape with a garden hose. The net effect is that landscaping materials die or have significantly stunted growth due to a lack of water.



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Tree Density Requirement

Original bill: All properties would be required to have an automatic irrigation system.

Substitute bill: Same as original except eliminates the word “automatic” and applies it to properties only two acres in size or greater. This compromise was arrived at after discussions between the Urban Forester and representatives of the commercial real estate industry.

Original bill: The original bill contained a provision to clarify that tree density units must be met by “properly protected or new trees.” This language would require a site to meet tree density requirements regardless of whether trees existed on the property before construction of the project. According to the Urban Forester, this was the intent of the original tree ordinance and is consistent with the way the tree density requirements currently are applied to all development projects.

Substitute bill: The substitute bill, as filed in the Council, will remove the tree density requirements for any property where trees are not removed to allow construction of the project. If no trees exist on a property to begin with, then no new trees must be planted. This change, which was not proposed by the Urban Forester, eliminates the tree density factor for properties with no existing trees by replacing the word “new” with “replacement.”

Proposed amendment: The Codes Department suggests the substitute bill be amended to use the word “new” instead of “replacement” to ensure utmost clarity. Further, the Codes Department suggests exempting warehouse/distribution uses from the tree density calculation. Planning staff concurs with these proposed changes as they would ensure all properties with or without trees at the time of grading or construction would be required to plant new trees and achieve the required tree density factor, except warehouse/distribution facilities.

Warehousing/Distribution

The original bill addressed a long-standing issue related to warehousing and distribution uses, which have vast expanses of impervious surfaces. The Zoning Code requires all uses to provide interior parking lot landscaping. For warehousing/ distribution uses where



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Landscape Bufferyards

tractor-trailers are entering a site, maneuvering on-site, and then exiting, the interior parking lot landscape provisions can be problematic.

Original bill: Proposed to permit such operations to group the required number of individual tree islands within the parking lot into larger tree islands. This measure would have eliminated the need for trucking operations to get a variance, as currently is required in order to propose alternative landscape solutions.

Substitute bill: This section has been removed from the substitute bill.

Both the original and substitute bills would also make significant changes to Table 17.24.230, the landscape buffer yard table. As set forth in the Purpose and Intent of the Landscaping, Buffering and Tree Replacement chapter of the Zoning Code, Section 17.24.010, buffering standards were created to implement the general plan, associated subarea plans, and to mitigate the results of differing activities that may occur when different zone districts and/or land uses abut one another.

The required width of some buffer yards are eliminated or reduced between various zoning districts, principally by removing the need for residential uses to “buffer” against commercial or industrial uses. The presumption being residential properties should not be required to provide a buffer against a neighboring commercial use. The argument is that only the non-residential use should be required to buffer against the residential use. Similarly, the buffering requirements for commercial and industrial uses are modified by removing the need for a commercial/industrial use to “buffer” against another commercial/industrial use.

LANDSCAPE BUFFER YARDS

Zoning District	Currently*	Proposed*
RS10 to CS	B (10 feet)	None
RS15 to IWD	C (20 feet)	None
RS10 to CS	A (5 feet)	None
CS to SCR	A (5 feet)	None
MUN to RS10	C (20 feet)	B (10 feet)
SCR to RS10	D (30 feet)	No change
CA to IWD	C (20 feet)	None

* Compares B-3, C-3, to D-3 buffers since smallest buffers assume an 8' o wall is installed on property line which is not common.

Original bill: Staff recommended some buffering changes to original bill, mainly not to eliminate buffer yards between certain districts.

Substitute bill: Incorporates all of staff’s recommended changes.



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STAFF RECOMMENDATION

Disapprove the proposed substitute bill **as filed**. In its current form, the bill will eliminate the long-standing requirement for meeting the tree density requirements on property regardless of whether trees exist at time of grading or construction. This proposed amendment to the Zoning Code conflicts with the General Plan and its various subarea plans and detailed neighborhood design plan components. Those planning documents seek to ensure new development and changes in land uses compliment existing land uses, and most importantly, serve to improve neighborhoods and the community. Not requiring the planting of trees in connection with a development on treeless lots does not further Metro's objectives.

If the provision regarding "replacement" trees were amended back to the word "new" as proposed in the original ordinance proposed by the Urban Forester, and the exemption from the tree density requirements for warehouse/distribution uses was included, then staff would recommend **approval** of this substitute bill. Excluding that one provision, the bill provides needed changes to the landscaping provisions of the Zoning Code to ensure the viability, sustainability, and long-term maintenance of grasses, shrubs, and trees planted in landscape areas.



Project No.
Project Name
Council District
School Board District
Requested By

Deferral

Staff Reviewer
Staff Recommendation

Subdivision 2006S-068U-03
Fairview Subdivision
1 – Gilmore
1 - Thompson
Vincent T. Scalf, owner, Hart Freeland & Roberts, surveyor
Deferred from the February 23, 2006, Commission meeting.

Harris
Approve with conditions, including a condition that 4 lots be approved instead of 5 lots to meet the lot frontage requirement of a minimum of 96.75 feet.

APPLICANT REQUEST
Final Plat

Request to subdivide 1.85 acres into 5 lots located on the south side of West Hamilton 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.

PLAN DETAILS

This subdivision proposes the creation of five lots from a portion of a parcel. As proposed, the five new lots have the following areas and street frontages:

- Lot 1: 15,734 Sq. Ft., (0.36 Acres), and 80.67 ft. of frontage
- Lot 2: 15,733 Sq. Ft., (0.36 Acres), and 80.67 ft. of frontage
- Lot 3: 15,732 Sq. Ft., (0.36 Acres), and 80.66 ft. of frontage
- Lot 4: 15,734 Sq. Ft., (0.36 Acres), and 80.67 ft. of frontage
- Lot 5: 15,734 Sq. Ft., (0.36 Acres), and 80.76 ft. of frontage

Lot comparability

Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission is not required to grant the exception if they do not feel it is appropriate.



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Staff Recommendation

Lot comparability analysis yielded a minimum lot area of 14,832 sq. ft., and a minimum lot frontage of 96.75 feet. All five lots pass for area, but fail for lot frontage.

Staff recommends disapproval of a lot comparability exception. The Bordeaux-Whites Creek Community plan calls for Mixed Housing in Neighborhood General policy intended for a mixture of housing types and careful arrangement. Lots 1-4 meets the policy, however, lot 5 does not since it is within Natural Conservation policy intended for very low density development. The lots are also within a one-quarter mile radius of a "Mixed Use" policy. Staff recommends that the Commission not grant an exception for comparability, however, because:

1. The lots fail for lot frontage by 16 feet.
2. Lot 5 does not meet land use policy requirement and is also mostly consumed with floodplain.

If a lot were removed from the proposal, then it would meet the lot frontage requirement of 96.75 feet and would eliminate a lot consumed mostly with floodplain. A note shall also be added to the plat that states that, "Fifty percent of the floodplain shall remain undisturbed within the subdivision plat." Also, if four lots are approved, they should be closer to Clarksville Pike and away from the 100 year floodplain line.

STORMWATER RECOMMENDATION

Approve except as noted. The minimum FFE's labeled on the plat are incorrect. The minimum FFE is 421.1', rather than the cited 621.1'. Appropriate correction required.

PUBLIC WORKS RECOMMENDATION

If sidewalks are required, submit construction plans for Public Works review and approval. Final design and improvements may vary based on field conditions.

CONDITIONS

Prior to recordation, the plat shall meet the following:

1. Revised plans are to be submitted proposing four lots instead of five lots to meet the lot frontage requirement of a minimum 96.75 feet.



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2. Revise lot area tabulation chart on plat to state the acreages as 0.36, or the correct lot acreage if revised.
3. Performance bonds are to be posted for any public infrastructure improvements.
4. A note shall be added to the plat that states, "The minimum FFE's labeled on the plat are incorrect. The minimum FFE is 421.1', rather than the cited 621.1'." Appropriate correction required.
5. A note shall be added to the plat that states, "Fifty percent of the floodplain shall remain undisturbed within the subdivision plat."



Project No.
Council Bill
Council District
School District
Requested by

Zoning Code Text Change 2006Z-014T
None
Metro-wide
Metro-wide
Councilmember David Briley

Staff Reviewer
Staff Recommendation

Bernards
Approve

REQUEST

Amend Zoning Code sections 17.04.060B and 17.24.070 and adopting Zoning Code section 17.12.120 to implement conservation subdivisions.

Amend 17.04.060.B
Definitions of General Terms

Add “conservation land” to the list of general terms to define the land to be set aside for permanent protection in a conservation subdivision.

Add “conservation subdivision” to the list of general terms to define this type of residential development.

Adopt 17.12.120

Adopt new section to add text providing the bulk standards particular to conservation subdivisions including minimum area and lot size, maximum lot yield, limited to single-family residential and alternative setback standards.

Amend 17.24.070

Amend to describe circumstances where a scenic landscape easement may not be required for a conservation subdivision.

ANALYSIS

Existing Law

Currently, the Zoning Code bulk standards do not permit reductions in minimum lot sizes in the AG, AR2a, R80, RS80, R40 and RS40 zoning districts sufficient to encourage the conservation of 50 percent or more of a tract to allow for the protection of unique natural, cultural, and historical resources.

Proposed Text Change

The proposed changes to the Zoning Code permit reductions in minimum lot sizes in the AG, AR2a, R80, RS80, R40 and RS40 zoning districts for single-family residential developments while providing a transition area to avoid negatively impacting neighboring properties.



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Changes in minimum lot sizes.

1) Reductions in Minimum Lot Sizes. Up to 50 percent of the tract may be proposed for the development of single-family lots that contain less land area than normally required by Table 17.12.020A of the Zoning Code for AG, AR2a, RS80, R80, RS40 and R40 zoning districts. The table below will be made part of the Zoning Code as Table 17.12.120.

2) Separation Requirements. The amount of reduction of the minimum lot size of the base zone is determined by the distance of the lot from the neighboring properties. Conservation subdivisions require that the lots closest to neighboring development be the largest or reflect the lot size of the neighboring development. This encourages the edge lots in the Conservation subdivision to blend into their surroundings. The proposed Table 17.12.120 lists the separation distance necessary to reduce a minimum lot size. A lot less than 50 feet from a neighboring property must be the lot size required by base zoning or the Metro Planning Commission (MPC) may allow the lot to be the same size as the adjacent lots in the neighboring development if those lots are smaller than the base zoning in the conservation subdivision. A lot 50 to less than 100 feet from a neighboring property, 100 to less than 150 feet, or 150 to less than 200 feet from a neighboring property may be reduced in accordance with Table 17.12.120 or the MPC may allow the lot to be the same size as the lots in the neighboring development. The separation is measured from property line to property line. There is no minimum lot size for a lot over 200 feet from an abutting track of land, development, or subdivision.

Table 17.12.120
Minimum Lot Size for Conservation Subdivisions

Zoning District	Minimum Lot Size	Separation Requirements (in linear feet) for Reduced of Minimum Lot Size				
		≥200	150-<200	100 - <150	50-<100	<50
AG	5 acres	none	30,000 sq.ft.	40,000 sq.ft.	80,000 sq.ft.	5 acres
AR2a	2 acres sq.ft.	none	20,000 sq.ft.	30,000 sq.ft.	40,000 sq.ft.	2 acres
RS80, R80	80,000 sq.ft.	none	20,000 sq.ft.	30,000 sq.ft.	40,000 sq.ft.	80,000 sq.ft.
RS 40, R40	40,000 sq.ft.	none	15,000 sq.ft.	20,000 sq.ft.	30,000 sq.ft.	40,000 sq.ft.



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Alternative bulk standards.

The MPC may allow alternative setbacks if it is found that the alternatives would result in a development that would equal or exceed the objectives of conservation subdivisions.

Scenic Landscape Easements.

Landscape buffers would not be required along scenic arterials where a conservation subdivision provides for a scenic easement 50 feet or greater.

STAFF RECOMMENDATION

Approve. This text amendment enables the development of conservation subdivisions by allowing sufficient reduction in lot sizes to ensure 50 percent or more of a tract can be permanently preserved in order to preserve unique natural, cultural, and historical resources. By requiring larger lots or lots that match neighboring development on the edge of the development, transitioning into smaller lots in the center, Conservation Subdivisions create rural hamlets nestled among natural features, instead of houses placed across the land without regard to hills, creeks, or scenic views.

A copy of the draft ordinance is enclosed with the Commissioner's copies of this staff report.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2005Z-139G-12
None
31 – Toler
2 - Blue
Hickory Holdings, LLC, applicant/owner

Staff Reviewer
Staff Recommendation

Pereira
Approve with conditions

APPLICANT REQUEST

A request to change 19.33 acres from agricultural/residential (AR2a) to residential single-family (RS10) district property located at 1160 Barnes Road.

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 existing zoning would permit 10 lots on this property.

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. The proposed zoning would permit 72 single-family lots on this property.

SOUTHEAST COMMUNITY PLAN POLICY
Residential Low Medium (RLM)

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

Policy Conflict

No. The proposed residential density as allowed by the RS10 district (3.7 single-family homes per acre) is consistent with the density range permitted by RLM policy (2-4 homes per acre). The site falls within the Infrastructure and School Deficiency Areas established in the Southeast Community Plan.

Infrastructure Deficiency Area

This property is located within an infrastructure deficiency area for transportation and schools established by the Planning Commission in the Southeast Community Plan. This rezoning was filed



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prior to the adoption of the updated infrastructure deficiency area language. The subdivision plat will be submitted after the October 27, 2005, effective date of the policy, however, and requirements to address infrastructure deficiency will be applied with that application. Therefore, staff recommends approval with the condition that the infrastructure deficiency area language be applied during the preliminary and/or final platting stage.

In addition to road infrastructure deficiencies, the Southeast Community Plan notes that “inadequate school facilities in the area are also a problem in the Southeast Community.” Additional analysis of the projected student generation from this rezoning and school capacity in this area is provided below. The school board has programmed for new schools in this area.

RECENT REZONINGS

2003Z-143G-12 was approved March 22, 2004, by the Metro Council to change 5.28 acres from AR2a district to RS10 district properties on the south side of Barnes Road, just east of this property.

PUBLIC WORKS RECOMMENDATION

No Exception Taken. An access study may be required at development.

Typical Uses in Existing Zoning District: AR2a

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)	19.33	0.5	9	114	16	13

Typical Uses in Proposed 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)	19.33	3.7	72	769	60	80

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
--			+63	655	44	67



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METRO SCHOOL BOARD REPORT

Projected student generation

12 Elementary 10 Middle 9 High

Schools Over/Under Capacity

Students would attend Maxwell Elementary School, Antioch Middle School, or Antioch High School. Antioch High School has been identified as being over capacity by the Metro School Board, but Glenclyff is an adjacent cluster with capacity. New elementary and middle schools are under construction on a property located along Pettus Road, and there is a land acquisition underway for a new high school near I-24 and Old Hickory Boulevard. This information is based upon data from the school board last updated February 2006.

CONDITION

With the submittal of any subdivision application, the updated infrastructure deficiency language will be applied.



Project No.
Council Bill
Council District
School District
Requested by

Zone Change 2006Z-024U-12
None
27 – Foster
2 - Blue
Dana A. Moore, applicant/owner

Staff Reviewer
Staff Recommendation

Pereira
Disapprove

APPLICANT REQUEST

Request to change 0.12 acres from Residential Single-Family and Duplex (R6) to Commercial Limited (CL) zoning, on property located at 4416 Bass Avenue, approximately 300 feet west of Nolensville Pike.

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.

Proposed Zoning
CL district

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

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

Yes. The commercial uses as permitted within the proposed CL zoning district are not consistent with the Residential Medium High policy, which applies to the majority of the properties on the northwest side of Bass Avenue. Parcel 099, to the immediate north of this property, is currently undeveloped, along with the majority of the properties to the west, which are also zoned R6.



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In addition to the inconsistency with land use policy and the largely undeveloped context to the north and west of this property, Bass Avenue appears on Metro maps as public right-of-way up to parcel 103, yet it is unbuilt past the property subject to rezoning. The part of Bass Avenue that is currently constructed is little more than a gravel driveway. It would not be appropriate to intensify commercial zoning and uses along such an unimproved right-of-way.

Though there is a substantial grade difference moving west of this property, higher density residential development can be reasonably envisioned for this area, compatible with the nearby residentially-zoned and developed properties along the northern side of Winston Avenue (to the north). Such multi-family development, as called for by the Community Plan, would need to take into account the hill that gently slopes up to the west.

Staff Recommendation

Staff recommends **disapproval** of the rezoning to CL as inconsistent with the residential policy of the Community Plan, and the poor ingress/egress to the site, given the inadequate condition of Bass Avenue, which serves as the principal access to this property.

RECENT REZONINGS

None.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken.



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Typical Uses in Existing Zoning District: R6

Land Use (ITE Code)	Acres	Density	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.12	6.17	1	10	1	1

Typical Uses in Proposed Zoning District:CL

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Office Building Low Rise (710)	0.12	0.296	1,547	54	2	2

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
--	0.12			44	1	1

METRO SCHOOL BOARD REPORT

While the proposed zone district, Commercial Limited, does allow several residential uses under a set of conditions as defined in the Metro Zoning Code, a negligible number of students would be generated with this rezoning.



Project No.
Project Name

Zone Change 2006Z-028U-12
Oglesby Community Center Neighborhood
Landmark Overlay

Council Bill
Council District
School District
Requested by

None
31 - Toler
2 – Blue
Councilman Parker Toler for the Oglesby Community Center, owner

Staff Reviewer
Staff Recommendation

Leeman
Approve

APPLICANT REQUEST

Apply the Neighborhood Landmark Overlay district to an AR2a district property located at 5724 Edmondson Pike, approximately 565 feet south of Old Hickory Boulevard (1.47 acres).

Existing Zoning
AR2a district

Agricultural/residential requires a minimum lot size of two 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 two acres.

Proposed Overlay District
Neighborhood Landmark Overlay District (NLOD)

The Neighborhood Landmark Overlay District is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood in which the feature is located. Creating an NLOD is the first step in a two-step process. If the Metro Council approves the NLOD district, the Planning Commission must then approve a Neighborhood Landmark Development plan. The site plan will address site design, specific uses, building scale, landscaping, massing issues, parking lot access, and lighting.

Under Chapter 17.36.420 of the Zoning Code, a neighborhood landmark is defined as a feature that “has historical, cultural, architectural, civic, neighborhood, or archaeological value and/or importance; whose demolition or destruction would constitute an irreplaceable loss to the quality and character of a neighborhood.” To be eligible for application of the Neighborhood Landmark Overlay District, a property



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must meet one or more of the criteria set out in 17.36.420, which are:

1. It is recognized as a significant element in the neighborhood and/or community;
2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community.
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community;
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

CRITERIA FOR CONSIDERATION

The Community Center at 5724 Edmondson Pike would also have to meet the 6 criteria for consideration outlined in Section 17.40.160 of the Zoning Code:

1. The feature is a critical component of the neighborhood context and structure.
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.
3. The only reason to consider the application of the NLOD is to protect and preserve the identified feature.



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4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the NLOD designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate NLOD Plan as a means of preserving the designated feature.
6. All other provisions of this section have been followed.

SOUTHEAST COMMUNITY PLAN

Residential Low Medium (RLM)

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

Policy Conflict

No. The Neighborhood Landmark Overlay district does not change the existing residential base zone district, but can provide additional restrictions that protect the property. Actual uses for the property are not considered or approved until after the Metro Council establishes the overlay. A Final Site Plan, including a Public Hearing at the Planning Commission, would be required in order for changes to be made to the site and for the establishment of different uses.

National Register Listed Property

Oglesby School was included on the National Register of Historic Places in 2002. The National Register of Historic Places is the Nation's official list of cultural resources worthy of preservation. Properties listed in the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture.



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History

The Oglesby School/Oglesby Community House is listed in the National Register of Historic Places for its significance in Davidson County's social and educational history. Constructed in 1898, it is also an excellent surviving example of a rural schoolhouse built to standard plans designed to improve the educational environment. It served grades one through eight until 1931, when it became the primary meeting place for community organizations including 4-H, Home and Farm Demonstration clubs, and Future Farmers and Homemakers of America. The Oglesby Home Demonstration Club has met here since the 1920s and is an important link to the county's rural past.

STAFF FINDINGS

Extent of Staff Review

There is no requirement that an overlay site plan be prepared until after Metropolitan Council has adopted the overlay district. Staff review has been limited to determining eligibility for, and evaluating the appropriateness of, the overlay district and ensuring that the criteria for Planning Commission approval have been met.

Staff recommends **approval** of the Neighborhood Landmark Overlay District for this property.



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

Zone Change 2006Z-031U-11
None
None
17 - Greer
7 - Kindall
M.D.H.A. and United Neighborhood Health Services,
owner.

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST

Request to change 0.48 total acres from Office/ Residential (OR20) and Mixed Use Neighborhood (MUN) to Mixed Use Limited (MUL), property located at 101, 103 and 107 Charles E. Davis Boulevard at the northeast corner of Charles E. Davis Boulevard and Cannon Street.

Existing Zoning
OR20 district

OR20 is intended for office and/or residential multi-family uses up to 20 dwelling units per acre.

MUN district

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

Proposed Zoning
MUL district

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

**SOUTH NASHVILLE
COMMUNITY PLAN POLICY**

Existing Plan Policy
Residential Medium (RM)

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

Special Policy statement

“The long range recommendations for area 5E include the use of compatible scale infill development to stabilize the area and continued public investments...”

Policy Conflict

No. This application will allow for the public investment of a health clinic to serve the immediate



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neighborhood. The Napier and Sudekum Public Housing Developments are part of a larger community that was formerly served by General Hospital which closed in the late 1990s. The United Neighborhood Health Services and MDHA have worked together since the closing of General Hospital to provide accessible health services to this community. MDHA and UNHS renovated an apartment to provide health services. The space has been outgrown.

The partnership is now ready to construct a freestanding Southside Health Center with 6,000 square feet at this location, on the corner of Charles Davis Boulevard and Cannon Street. The goal is to serve 3,000 residents of the area and to staff the center with 3 full-time medical providers and provide mental health and social services.

METRO SCHOOL BOARD REPORT

Projected student generation

4 Elementary 3 Middle 2 High

Schools Over/Under Capacity

Students would attend Hickman Elementary School, Donelson Middle School, or McGavock High School. Donelson Middle School and McGavock High School have been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster. There is high school capacity in the adjacent Glenclyff and Stratford clusters. This information is based upon data from the school board last updated December 13, 2005.

RECENT REZONINGS

None.

PUBLIC WORKS

No exceptions taken



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Typical Uses in Existing Zoning District: OR20 and MUN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.48	0.26	5,436	142	19	85

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
Gas Station with Convenience Market (945)	0.48	0.12*	2,509	409	26	34

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
--	0.48		-2,927	267	7	-51

Maximum Uses in Existing Zoning District: OR20 and MUN

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.48	0.26	5,436	142	19	85

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 with Convenience Market (945)	0.48	0.12*	2,509	409	26	34

*Adjusted as per use

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
--	0.48		-2,927	267	7	-51



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

Zone Change 2006Z-032U-05
None
None
5 - Murray
5- Hunt
Metro Historical Commission, applicant, Wal-Mart Real-Estate Business Trust, owner.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request to apply the Historic Landmark Overlay district to a CL zoned property at 1220 Gallatin Pike (0.28 acres).

Existing Zoning
CL district

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

Proposed Zoning
Historic Landmark Overlay

Designation as a Historic Landmark Overlay recognizes the landmark's historical significance and with that recognition, protects the building or site's unique character thru review of exterior work on buildings. Historic landmarks are locally designated and administered by the Metropolitan Historic Zoning Commission (MHZC), an agency of the Metropolitan Government of Nashville and Davidson County. Designation as a historic landmark is a type of overlay zoning that applies in addition to the base or land use zoning of an area; it has no impact on use.

The Historic Landmark is most often also listed in the National Register of Historic Places either individually or as part of a district. The National Register is a federal program administered by the Department of the Interior. Unless federal funds are used for a project, listing in the National Register has no impact on what one does to one's property. Listing in the National Register is honorary -- a way to recognize the district as an intact and important part of the histories of Nashville and the United States of America.



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EAST NASHVILLE COMMUNITY PLAN POLICY

Mixed Use (MU)

Policy Conflict

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.

No. The Historic Landmark Overlay (HLO) district is consistent with the MU policy and the requirements for establishing a historic landmark district. Section 17.36.120 of the Zoning Ordinance states that the following should be considered for establishing an historic landmark:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history;
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value;
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

Recommendation

Approve. The Metro Historic Zoning Commission has recommended approval of the property, which is known as the Fire Hall for Engine Company No. 18, as a historic landmark district, as it is eligible for listing in the National Register of Historic Places. The fire hall is on the same property as the recently approved Wal-Mart Neighborhood Market south of Douglas Avenue. The Tudor Revival style building was built in 1930 and holds significance for Nashville's early suburban growth in the Inglewood area.



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In addition, the associated Planned Unit Development (PUD) approved for this property required the existing fire hall to remain to be used for office or retail uses.

RECENT REZONINGS

None.

**PUBLIC WORKS
RECOMMENDATION**

No exception taken



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

Zone Change 2006Z-033U-05
None
None
5 - Murray
5 - Hunt
Metro Historical Commission, applicant, Woodbine Community Organization and Ray of Hope Community Church, owners.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request to apply the Historic Landmark Overlay district to an RS5 zoned property (1.23 acres) at 908 and 914 Meridian Street.

Existing Zoning
RS5 district

RS5 requires a minimum 5,000 square foot lot and is intended for single-family dwellings at a density of 7.41 dwelling units per acre.

Proposed Zoning
Historic Landmark Overlay

Designation as a Historic Landmark Overlay honors the landmark's historical significance and with that recognition, protects the building or site's unique character thru review of exterior work on buildings. Historic landmarks are locally designated and administered by the Metropolitan Historic Zoning Commission (MHZC), an agency of the Metropolitan Government of Nashville and Davidson County. Designation as a historic landmark is a type of overlay zoning that applies in addition to the base or land use zoning of an area; it has no impact on use.

The Historic Landmark is most often also listed in the National Register of Historic Places either individually or as part of a district. The National Register is a federal program administered by the Department of the Interior. Unless federal funds are used for a project, listing in the National Register has no impact on what one does to one's property. Listing in the National Register is honorary -- a way to recognize the district as an intact and important part of the histories of Nashville and the United States of America.



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EAST NASHVILLE COMMUNITY PLAN POLICY Neighborhood General (NG)

Policy Conflict

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

The Historic Landmark Overlay (HLO) district is consistent with the NG policy and the requirements for establishing a historic landmark district. Section 17.36.120 of the Zoning Ordinance states that the following should be considered for establishing an historic landmark:

1. The historic landmark is associated with an event that has made a significant contribution to local, state or national history;
2. It is associated with the lives of persons significant in local, state or national history;
3. It embodies the distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possesses high artistic value;
4. It has yielded or may be likely to yield archaeological information important in history or prehistory; or
5. It is listed or is eligible for listing in the National Register of Historic Places.

Recommendation

Approve. The Metro Historic Zoning Commission has recommended approval of both properties, known as the McGavock house (908 Meridian) and former office of the Police Athletic League (914 Meridian). The McGavock house was built between 1820 and 1845 and is now owned by the Ray of Hope Community Church and is leased by, Better Tomorrows, that works to educate adults without a high school diploma. Several renovations have been done to the property, with the latest in the 1950s. This property is eligible for listing in the National Register of Historic Places.

The former office of the Police Athletic League is part of the McGavock estate, which was used to involve police officers as coaches and mentors for troubled youth. This property was subdivided as a separate



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parcel of the McGavock estate in 1905. The ownership and family and builder history could place this property in a position for significance for individual listening.

RECENT REZONINGS

None.

**PUBLIC WORKS
RECOMMENDATION**

No exception taken



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

Zone Change 2006SP-034G-06
Traemoor Village
None
None
22– Crafton
9 – Warden
Anderson, Delk, Epps and Associates, Inc., applicant for Stephanie Keller, owner.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST

Rezone 22.98 acres from office/residential (OR20), agricultural/residential (AR2a), and commercial service (CS) to specific plan (SP) district at 7416 Old Charlotte Pike, Sawyer Brown Road (unnumbered) and Charlotte Pike (unnumbered)

Existing Zoning
OR20 district

Office/Residential is intended for office and/or multi-family residential units at up to 20 dwelling units per acre.

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.

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
SP district

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the**



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specific development and are written into the zone change ordinance, which becomes law.

- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

BELLEVUE COMMUNITY PLAN

Commercial Mixed Concentration (CMC)

CMC policy is intended to include Medium High to High density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

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

As proposed, the overall density of the site plan is consistent with the CMC and RLM policies. The CMC policy allows for higher density residential and RLM policy allows for 2 to 4 units per acre. The density of the project is 5.37 units per acre, which is consistent with the average density allowed for both land use policies.

PRELIMINARY PLAN DETAILS

The plan proposes 122 multi-family units with access off of Old Hickory Boulevard and Charlotte Pike. The proposed units front on the interior streets with additional buffering to the surrounding streets.

Staff met with the applicant to discuss the design of the project. Staff recommended a redesign of the project to have the units fronting on Sawyer Brown Road, which would create more of a neighborhood feel along Sawyer Brown Road by creating a streetscape. The applicant indicated that a redesign of the plan to front the units on



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Sawyer Brown road would not be appropriate due to the existing topography. The applicant proposes a 10' landscape easement along Sawyer Brown, as well as, a 20' landscape easement along Old Hickory Boulevard for additional buffering to screen the backs of the units from the street. Although staff's preference would be to create a strong streetscape with the units facing the street, the landscape easements are another alternative to address the existing development pattern and character of the area.

The Major Street Plan calls for Old Hickory Boulevard as a Scenic Arterial (S4) street requiring 150' right-of-way (ROW). A subarea plan amendment and amendment to the Major Street plan has been requested to classify it as an Urban Arterial (U4), which requires 84' ROW. Staff recommends approval of the Major Street Plan amendment to a "U4" street. If the Commission does not recommend approval of the amendment, then this rezoning should be deferred or disapproved.

Sidewalks are not required along the existing streets since it is within the General Services District (GSD), however, sidewalks are provided within the proposed development.

There are 2 phases proposed. Phase 1 proposes 72 units and phase 2 proposes 50 units.

RECENT REZONINGS

None.

STORMWATER RECOMMENDATION

Approved except as noted.

1. Buffer Note "(The buffer along waterways will be an area where the surface is left in a natural state, and is not disturbed by construction activity. This is in accordance with the Stormwater Management Manual Volume 1 - Regulations.)"
2. Culvert Note "(Size driveway culverts per the design criteria set forth by the Metro Stormwater Management Manual (Minimum driveway culvert in Metro ROW is 15" CMP).)"



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Note: This project will be required to receive an appeal from the Stormwater Management Committee for road crossings.

PUBLIC WORKS RECOMMENDATION

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Plans for solid waste collection and disposal must be approved by the Public Works Solid Waste Division.
3. Show ST200 curb and gutter on Private streets.

In accordance with the TIS:

1. The project access to Old Hickory Blvd shall be constructed to provide one lane for entering and two lanes for exiting with 50' of storage each.
2. Construct a northbound left turn lane on Old Hickory Blvd at the project entrance, with 75 feet of storage, and AASHTO/ MUTCD tapers.
3. The project access to Charlotte Pike shall be constructed to provide one lane for entering and two lanes for exiting with 50' of storage each.
4. Construct a eastbound left turn lane on Charlotte Pike at the project entrance, with 75 feet of storage, and AASHTO/ MUTCD tapers.
5. Improvements along Old Hickory Boulevard (items 1 & 2) shall be bonded and installed with the first phase of development.
6. Improvements along Charlotte Pike (items 3 & 4) shall be bonded and installed with the second phase of development.

CONDITIONS

1. Comply with Public Works conditions listed above.
2. Prior to the approval of the Final development plan, Metro Stormwater is to review and approve the plans.



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3. Any changes on the final development plan from this preliminary site plan may require a new preliminary plan if the changes are deemed significant by planning staff.
4. For any development standards, regulations and requirements not specifically shown on the SP plan and/or included as a condition of Commission approval, the property shall be subject to the standards, regulations and requirements of the RM6 zoning district, which must be shown on the plan.



Project No.
Council Bill
Council District
School Board District
Requested by

Zone Change 2006Z-036G-14

None
14 - White
4 - Nevill
Jane Gardner, applicant/owner

Staff Reviewer
Staff Recommendation

Pereira
Disapprove. Alternatively, the Commission may defer action until further information is provided to Planning staff that clearly demonstrates that the community supports the applicant's intended changes for the property, and that such changes clearly meet the intent of the NLOD district.

APPLICANT REQUEST

Apply the Neighborhood Landmark Overlay district to the properties located at 400 and 404 Wisteria Lane, at the northwest corner of Wisteria Lane and Central Pike.

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 25% duplex lots.

Proposed Overlay District
Neighborhood Landmark Overlay District (NLOD)

The NLOD district is intended to preserve and protect landmark features whose demolition or destruction would constitute an irreplaceable loss to the quality and character of the neighborhood in which the feature is located. Creating the NLOD is the first step in a two-step process. After the NLOD district has been approved by Council, a Neighborhood Landmark Development plan must be approved by the Planning Commission. The development site plan will address site design, specific uses, building scale, landscaping, massing issues, parking lot access, and lighting.

The eligibility of a property for application of the Neighborhood Landmark Overlay District is based upon meeting the definition of a neighborhood landmark and meeting one or more of the criteria below.

1. It is recognized as a significant element in the neighborhood and/or community;



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2. It embodies characteristics that distinguish it from other features in the neighborhood and/or community;
3. Rezoning the property on which the feature exists to a general zoning district inconsistent with surrounding or adjacent properties such as, office, commercial, mixed-use, shopping center, or industrial zoning district would significantly impact the neighborhood and/or community;
4. Retaining the feature is important in maintaining the cohesive and traditional neighborhood fabric;
5. Retaining the feature will help to preserve the variety of buildings and structures historically present within the neighborhood recognizing such features may be differentiated by age, function and architectural style in the neighborhood and/or community; and,
6. Retaining the feature will help to reinforce the neighborhood and/or community's traditional and unique character.

DONELSON/HERMITAGE COMMUNITY PLAN

Neighborhood General (NG)

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Mixed Housing (MH)

MH is intended for single family and multi-family housing that varies on the size of the lot and the placement of the building on the lot. Housing units may be attached or detached, but are not encouraged to be randomly placed. Generally, the character should be compatible to the existing character of the majority of the street.

CRITERIA FOR CONSIDERATION

In order to qualify for NLOD status, the home at 404 Wisteria Lane must meet all six of the following criteria for consideration outlined in the Zoning Code:



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Analysis

1. The feature is a critical component of the neighborhood context and structure.
2. Retention of the feature is necessary to preserve and enhance the character of the neighborhood.
3. The only reason to consider the application of the NLOD is to protect and preserve the identified feature.
4. There is acknowledgement on the part of the property owner that absent the retention of the feature, the base zoning district is proper and appropriate and destruction or removal of the feature is justification for and will remove the NLOD designation and return the district to the base zoning district prior to the application of the district.
5. It is in the community's and neighborhood's best interest to allow the consideration of an appropriate NLOD Plan as a means of preserving the designated feature.
6. All other provisions of this section have been followed.

The applicant has submitted letters from neighbors and property owners that indicate some in the community have identified 404 Wisteria Lane as a significant feature of the neighborhood. Retention of the house in its current condition *may* preserve and enhance the character of the neighborhood (as identified in a letter from the Historical Commission). Staff does not believe the property meets criteria #3 and #5 for the NLOD outlined above.

Factor #3, above, requires that the "only" reason for the NLOD must be that it is necessary to preserve the house. To date, this property has not had any other zoning overlay or status that has protected it from physical alteration and/or demolition. Despite the absence of such protections, the Historical Commission has reported that the home has experienced "little interior or exterior alteration. It retains original architectural features . . . [and] the house retains more detailed features than common examples of this popular early to mid-twentieth century house form." Despite significant commercial and multi-family development in the area, the house has remained preserved largely unchanged. There is no indication that conditions in the area have changed in any way that would now require the protection of an NLOD to preserve this property.



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It further is not clear that this property meets criterion #5, that it is the neighborhood's *best interest* to allow the consideration of an appropriate NLOD Plan as a means of preserving the designated feature. The Commission may recall its consideration of case 2002Z-073U-10, which was a request to apply an NLOD to the Demonbreun House located at 746 Benton Avenue. In considering this case, the Commission noted that an intent of the NLOD is/was to preserve a threatened building by giving the owner an investment incentive to put the money into fixing up an existing building instead of tearing it down and redeveloping the site. As the building at 404 Wisteria Lane has undergone minimal or no physical alteration over time, it is not clear that it is in the neighborhood's "best interest" to allow a potential change in use for this house (via a NLOD plan), as a means to ensure that this building is preserved, and the corresponding neighborhood character is protected. The applicant has communicated that the proposed change in use would involve counseling training, conferences, and private counseling onsite. The potential occupants of the property also propose a large building addition – a change for which no neighborhood support has been presented by the applicant.

Staff recommendation

Disapprove. It is not clear that the property meets all six of the necessary criteria required for NLOD status. Staff also notes that any change in land use and any proposed physical change to the property via a NLO district would need to meet the intent of the NLO to physically preserve the structure.

RECENT REZONINGS

The property located at 3810 Central Pike (parcel 314) was approved by the Planning Commission for a change from RM15 to MUL in September 2005 (case number 2005Z-130G-14), and passed on third reading by the Metro Council on November 15, 2005.

PUBLIC WORKS RECOMMENDATION

The Neighborhood Landmark District does not allow use changes with the adoption of the Overlay by Council. If adopted, the applicant will have to file a final site development plan to be considered by the Planning Commission.



Project No.
Associated Case
Council District
School District
Requested by

Zone Change 2006SP-041U-13
PUD Cancellation, 37-79-U-13
32 – Coleman
6 - Awipi
ETI Corporation, applicant for First Tennessee Bank,
owner

Staff Reviewer
Staff Recommendation

Swaggart
Defer until Stormwater has completed technical review

APPLICANT REQUEST

A request to change from single-family and duplex district (R10) to SP (Specific Plan) district (2.07 acres), and approval of the final development plan for property located at 5433 Mt. View Parkway to permit the development of a 3,812 square foot bank.

Existing Zoning/Overlay
R10 district

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Commercial PUD

A commercial PUD overlay currently exists over the site. The original preliminary PUD plans cannot be located, so staff recommended that the applicants cancel this portion of the PUD, and that they apply for a new SP district.

Proposed Zoning
SP district

Specific Plan is a zoning district category that provides for additional flexibility of design, including the relationship of buildings to streets, to provide the ability to implement the specific details of the General Plan.

- The SP District is a new base zoning district, not an overlay. It will be labeled on zoning maps as “SP.”
- The SP District is not subject to the traditional zoning districts’ development standards. Instead, urban design elements are determined **for the specific development** and are written into the zone change ordinance, which becomes law.



Metro Planning Commission Meeting of 3/09/06

ANTIOCH/PRIEST LAKE COMMUNITY PLAN Regional Activity Center (RAC)

- Use of SP **does not** relieve the applicant of responsibility for the regulations/guidelines in historic or redevelopment districts. The more stringent regulations or guidelines control.
- Use of SP **does not** relieve the applicant of responsibility for subdivision regulation and/or stormwater regulations.

RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Policy Conflict

No the proposed use and site plan is consistent with the area's policy.

FINAL PLAN DETAILS

The final development plan consists of a 3,812 square foot bank with four drive thru lanes, and one automated teller machine (ATM) lane. The development will be located on the northwest corner of Mt. View Road, and Mt. view Parkway.

Access

The development will be accessed from private drives off of Mt. View Road, and Mt. View Parkway.

Pedestrian Connectivity

Sidewalks are shown adjacent the property lines along Mt. View Road, and Mt. View Parkway. A sidewalk connection is also shown from the Mt. View Road/Mt. View Parkway intersection to allow for pedestrian access from the street into the site.

Landscaping Plan/Buffer Yards

A landscape plan is provided. A 20 foot wide landscape buffer is being provided along Mt. View Road and Mt. View Parkway.

FIRE MARSHAL

The Fire Marshal's office must approve the final development plan.



Metro Planning Commission Meeting of 3/09/06

RECENT REZONINGS

None.

STORMWATER RECOMMENDATION

Under Technical Review

PUBLIC WORKS RECOMMENDATION

1. All Public Works' design standards shall be met prior to any final approvals and permits issued. Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Show and dimension ROW along Mt. View Road and Mt. View Parkway at property corners. Label and show reserve strip for future ROW (42 feet from centerline to property boundary), consistent with the approved major street plan (U4-84' ROW).
3. The proposed driveway onto Mt. View Road shall be located 185 feet from the intersection of Mt. View Parkway.
4. The proposed driveway onto Mt. View Road shall provide approximately 50 feet of onsite storage.
5. The proposed driveway onto Mt. View Parkway shall provide approximately 85 feet of onsite storage.

Typical Uses in Existing Zoning District: R10/Commercial PUD

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Retail (820)	2.07	unknown	Unknown	NA	NA	NA

Typical Uses in Proposed Zoning District: SP

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Drive-in Bank (912)	2.07	n/a	3,812	950	48	175

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
--				NA	NA	NA



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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. All signage must comply with the signage shown on the Specific Plan.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
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.
Project Name
Associated Case
Council District
School District
Requested By

Planned Unit Development 37-79-U-13
The Crossings At Hickory Hollow
Specific Plan, 2006SP-041U-13
32 – Coleman
6 – Awipi
ETI Corporation, applicant for First Tenn. Bank, owner

Staff Reviewer
Staff Recommendation

Swaggart
Defer until Stormwater has completed a technical review for the associated SP district.

APPLICANT REQUEST

Cancel PUD

Request to cancel a portion of a residential Planned Unit Development overlay district located at 5433 Mt. View Parkway.

Zoning

R10 District

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN

Regional Activity Center (RAC)

RAC policy is intended for concentrated mixed-use areas anchored by a regional mall. Other uses common in RAC policy are all types of retail activities, offices, public uses, and higher density residential areas. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms to the intent of the policy.

Policy Conflict

No, the associated SP district and site plan proposed for this property are consistent with the areas policy.

PLAN DETAILS

Applicants are requesting that the PUD overlay district on this property be canceled. The property is within a larger PUD that was originally approved in 1979 for commercial use. Because this is a request to cancel the existing PUD overlay no site plan is required for this application.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken



Project No.	Subdivision 2006S-007G-13
Project Name	Edge O Lake Meadows Plat
Associated Cases	None
Council District	29 - Wilhoite
School Board District	6 - Awipi
Requested By	Marshall Development, owner/developer, and Cherry Land Surveying.
Staff Reviewer	Leeman
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST	
Preliminary Plat	Subdivide 5.75 acres into a 32 single-family lots, along the east side of Murfreesboro Pike, south of Edge O Lake Drive, at Willowbranch Drive.

ZONING	
RS3.75 District	<p>RS3.75 requires a minimum 3,750 square foot lot and is intended for single-family dwellings at a density of 9.87 dwelling units per acre.</p> <p>RS3.75 permits a maximum of 67 lots on this property, while only 32 lots are proposed.</p> <p>While the Planning Commission recommended disapproval of rezoning these properties to RS3.75, the Metro Council approved the rezonings in 2003, and 2004.</p>

ANTIOCH-PRIEST LAKE COMMUNITY PLAN	
Residential Medium High (RMH)	<p>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.</p>

SUBDIVISION DETAILS	<p>The proposed plan for 32 single-family lots accesses Willowbranch Drive and has access through the approved (unbuilt) commercial subdivision along Murfreesboro Pike called Shoppes of Edge O Lake, which was approved by the Planning Commission on January 12, 2006. The proposed plat calls for lots ranging in size from about 3,800 square feet to 5,800 square feet, with one much larger lot. This is not a Cluster Lot subdivision, however, the plan does provide 0.66 acres (11%) Open Space for detention.</p>
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Metro Planning Commission Meeting of 3/09/06

Stub-Streets

The proposed plat is also consistent with the concept plan that was presented to the Planning Department in 2004, when the adjacent properties to the north were given preliminary plat approval for 16 lots.

This plat ties into the Shoppes of Edge O Lake Preliminary plat approved by the Planning Commission on January 12, 2006, which ties into the existing stub street at Lakevilla Drive. It also provides a connection to Willowbranch Drive. This plat does not provide a connection to the existing stub-street at Cedar Springs Drive. In 2004, staff reviewed a concept plan for this entire area. Staff and the Planning Commission agreed that if a new connection was made to Willowbranch Drive, then there would be no need for Cedar Springs Drive to connect.

PUBLIC WORKS RECOMMENDATION

Any approval is subject to Public Works' approval of the construction plans. Final design and improvements may vary based on field conditions.

Provide proof of adequate sight distance at the intersection of Elliot Place and Willowbrook Drive.

In accordance with the TIS recommendations,

1. Developer shall construct 1 access on Murfreesboro Pike between Dover Glen and Edge O Lake Drive with 2 exit lanes each with 160 feet of storage and 1 entering lane . This access shall align with Martway Drive.
2. Developer shall construct an access road at the intersection of Dover Glenn Drive and Murfreesboro Pike intersection. Access road shall align with Dover Glen Drive and include 2 exit lanes each with 100 feet of storage and 1 entering lane. Developer shall modify the existing signal and install pedestrian signals with ADA facilities. Developer shall submit signal plans to Metro Traffic Engineer for approval.
3. Cross access between properties along Murfreesboro Pike from Edge O lake Drive to southern property boundary shall be required.



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4. At development, developer shall provide street connectivity to existing streets Lakevilla Drive and Willowbranch.

STORMWATER RECOMMENDATION

USGS quad map shows a blue line stream and pond in lot 13 area. Blue line streams should be identified with the buffer and drainage easement shown.

The water quality pond as shown discharges to the adjacent lot in a manner that might adversely affect the adjacent parcel. As part of plan review the owner may be required to obtain a drainage easement from the adjacent lot owner and dedicate that easement to Metro for drainage of Public Waters.

Indicate those map and parcel numbers of the parcels included in this plat. Additional parcel numbers are listed that are not in this plat.

FIRE MARSHAL RECOMMENDATION

Metro Ordinance O95-1541 Sec: 15.68.020B requires that no building be more than 500 feet from an approved fire hydrant via an approved hard surface road.

Fire hydrants should flow 1,000 GPM's @40 psi.

CONDITIONS

1. Prior to the issuance of any building permits, a final plat shall be recorded, including the posting of any necessary bonds to secure the satisfactory construction, installation, and dedication of all required public improvements.
2. All conditions, as recommended by Public Works, above, must be completed, satisfied, or bonded prior to final plat recordation.
3. All conditions, recommended by Metro Stormwater shall be completed prior to final plat approval.
4. Prior to final plat approval, the plat must be revised to include a "B" Landscape buffer yard at the rear of the site between the R10 and RS3.75 zoning, as per the Metro Zoning Code.



Project No.	Subdivision 2006S-096U-05
Project Name	Solon Court Subdivision
Council District	7 – Cole
School Board District	5 - Hunt
Requested By	Curtis Stewart, owner, Dale & Associates, surveyor.
Staff Reviewer	Harris
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Preliminary Plat

Request to subdivide 3.99 acres into 12 single-family lots located on the south side of Solon Drive, approximately 370 feet west of Rosebank Avenue.

ZONING
R10 district

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

SUBDIVISION DETAILS

There are 12 single-family lots proposed off of Solon Drive, extending off of an existing stub street. The minimum lot size for the lots is 10,000 square feet. A stub street is proposed to parcel 023 to the west for future connectivity to Rosebank Avenue.

The temporary turnaround is proposed within the building envelopes of lots 8 and 9. The design needs to be reworked prior to final plat approval and recordation to keep the turnaround outside of the building envelopes.

STORMWATER RECOMMENDATION

Approved except as noted.

1. Add the subdivision number to the plat.
2. Correct the FEMA map number. Specifically, change 04037C228G to, "47037C0228F." Further, indicate that panel 0228 is a non-printed panel.

PUBLIC WORKS RECOMMENDATION

Exception Taken.

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.



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2. Document adequate sight distance at project access. Indicate the amount of sight distance, and if adequate site distance per AASHTO for the posted speed limit on Solon Drive is provided
3. Within residential developments all utilities are to be underground. The utility providing the service is to approve the design and construction. The developer is to coordinate the location of all underground utilities. Street lighting is required in the Urban Service District.

CONDITIONS

1. Prior to final plat approval and recordation, Stormwater and Public Works comments must be addressed.
2. Prior to final plat approval and recordation, the temporary turnaround is to be located outside of the building envelopes of the adjacent lots.



Project No.
Project Name
Council District
School Board District
Requested By

Subdivision 2006S-082G-03
Carrington Place, Phases 1-5
1 – Gilmore.
1 – Thompson III
H and H Land Surveying, Inc., applicant for Elsie Carrington, owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Final Plat

Request for final plat approval to create 115 cluster lots located on the east side of Eatons Creek Road, approximately 200 feet south of Briley Parkway (73.17 acres).

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 (minimum 7,500 sq. ft. lots). The proposed lots range in size from 7,500 sq. ft. to 18,621 sq. ft.

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 applicant complies with this requirement by proposing a total of 21.56 acres (29%) of open.

SUBDIVISION DETAILS
Site Plan

The site plan calls for 115 single family lots on approximately 73.17 acres with an overall density of 1.57 dwelling units per acre. The development is to be constructed in five individual phases. As proposed the layout is consistent with the approved preliminary plat.

Access/Street Connectivity

Access to all lots will be from new streets, and access to the development will be provided from Eaton’s Creek Road, and Queen’s Lane.

Sidewalks

Sidewalks are required along new streets and along Eaton’s Creek Road. Sidewalks are not shown on the plat and must be shown prior to recordation.



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Preliminary Plat

The preliminary plat was approved with the condition that before any grading permits are issued, the final plat shall be brought back to the Commission for review and approval, and that the restrictive covenants be included on the plat.

Critical Lots/Grading Plan

A total of 12 lots are denoted as “critical” on the plat. Critical lots are lots that contain natural slopes of 20% or greater. Lots denoted as critical are required to minimize changes in grade, cleared area, and volume of cut or fill on the hillside portions of the property with 20% or greater natural slopes. Other requirements include a 75 foot minimum width at the building line.

As proposed, many of the critical lots do not appear to meet all critical lot standards. Before this plat can be recorded, the plat must be revised to meet critical lot standards. Grading plans that demonstrate how critical lots will be graded in a way consistent with critical lots standard is also required, and **must be approved by planning staff prior to recording of the plat.**

Buffer Yards

A 25 foot wide type C-2 landscape buffer yard is shown along the southern and eastern property line. A 30 foot landscape buffer yard is shown along the western property line along Eaton’s Creek Road, and a 25 foot landscape buffer yard is shown along the northern property line adjacent to lots 76 and 77.

STORMWATER RECOMMENDATION

1. Show and label the water quality pond in Phase 1. Show and label the pond limits.
2. Provide a drainage easement for the water quality pond mentioned in comment #1 above.
3. Cite all appeal numbers associated with this plat, i.e., 2005-151.
4. Show and label the tops of bank for the stream in Phase 2. Show and label the 25' buffer for said stream.



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5. Either provide a drainage easement for the stream as mentioned in comment #4 above or dedicate the Open Space as a drainage easement.
6. Correct the FFE's for lots 5-9, 73, 81, and 111-115. The correct FFE's are as follows: Lot 5 = 443'; Lot 6 = 441'; Lot 7 = 441'; Lot 8 = 440.5'; Lot 9 = 440'; Lot 73 = 446'; Lot 81 = 445'; Lot 111 = 440'; Lot 112 = 442'; Lot 113 = 443'; Lot 114 = 443.5'; Lot 115 = 444.5'.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

CONDITIONS

All conditions must be met prior to recordation of the final plat.

1. Sidewalks must be shown on the plat as required.
2. Identify covenants on plat as required by the Planning Commission's conditional approval.
3. Landscape plans must be approved by the Urban Forester prior to the issuance of any grading permits.
4. Prior to final plat recordation all buffer yard types must be labeled.
5. All Stormwater conditions must be addressed and approved by Stormwater staff.



Project No.
Project Name
Council District
School Board District
Requested By

Subdivision 2006S-090U-12
Forest Acres Estates, Resub. Lot 33, Sect. 2
31 – Toler
2 - Blue
Martin Champ et ux, owners, Campbell, McRae & Associates, surveyor.

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST
Final Plat

Request to subdivide 1.79 acres into 2 lots located on the south side of Kinhawk Drive, approximately 2,300 feet west of Nolensville Pike.

ZONING
R15 district

R15 requires a minimum 15,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25% duplex lots.

PLAN DETAILS

As proposed the request will create two new lots along the south side of Kinhawk Drive with the following area(s), and street frontage(s):

- Lot 1: 37,123 Sq. Ft., (0.85 Acres), and 102.52 Ft. of frontage;
- Lot 2: 39,686.15 Sq. Ft., (0.91 Acres), and 139.48 Ft. of frontage;

Lot comparability

Section 2-4.7 of the Subdivision Regulations states that new lots in areas that are predominantly developed are to be generally in keeping with the lot frontage and lot size of the existing surrounding lots. A lot comparability exception can be granted if the lot fails the lot comparability analysis (is smaller in lot frontage and/or size) if the new lots would be consistent with the General Plan. The Planning Commission is not required to grant the exception if they do not feel it is appropriate. Lot comparability analysis yielded a minimum lot area of 31,581 sq. ft., and a minimum lot frontage of 183.6 feet. Both lots pass for area, but fail for lot frontage.

Staff Recommendation

Staff recommends disapproval of a lot comparability exception. The Southeast Community plan calls for Residential Low Medium policy intended for residential development at a density of 2 to 4 units per acre. This subdivision request could qualify for an exception



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because it technically is within the density range of the area land use policy.

Staff recommends that the Commission not grant an exception for comparability, however, because the lots fail for lot frontage by 81.08 feet for lot 1 and 44.12 feet for lot 2 and this is not in keeping with the prevailing character of Kinhawk Drive.

STORMWATER RECOMMENDATION

Approve except as noted.

1. Correct the FEMA note, i.e., plat note #4. Indicate that panel 0363 is a non-printed panel.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.

CONDITIONS (If approved)

1. Correct the FEMA note, i.e., plat note #4. Indicate that panel 0363 is a non-printed panel.



Project No.
Project Name
Council District
School Board District
Requested By

Subdivision 2006S-097U-13
Stonebridge Resub., First Revision
33 – Bradley
6- Awipi
Rick and Karen Blackburn, owners, H & H Land
Surveying, surveyor.

Staff Reviewer
Staff Recommendation

Harris
*Approve with conditions, including approval of a flag
lot variance.*

APPLICANT REQUEST
Final Plat

**Request to subdivide 0.95 acres into 3 lots located on
the south side of Anderson Road, approximately 165
feet south of Towne Village Drive.**

ZONING
RS7.5

RS7.5 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.

PLAN DETAILS

As proposed, the request will create three new lots
along the south side of Anderson Road, which was
previously a reserve parcel, with the following area(s),
and street frontage(s):

- Lot 1: 14,133 Sq. Ft., (0.32 Acres), and 49.93
Ft. of frontage;
- Lot 2: 8,295 Sq. Ft., (0.19 Acres), and 20 Ft. of
frontage;
- Lot 3: 18,853 Sq. Ft., (0.43 Acres), and 120.92
Ft. of frontage;

This property was reserved in the First Revision of the
Stonebridge subdivision plat in 1996 due to a
realignment proposal for Anderson Road that was
called for in the Long Range Transportation Plan. This
realignment is no longer required or called for in the
plan.

Flag Lot Variance

A variance was requested for Lots 2 and 3 for irregular
lot lines. The reason for the variance is due to a 50'
drain buffer being approved within Lot 3 by the Metro
Stormwater Management Committee. Section 2-4.2A
of the Subdivision Regulations state that flag lots
generally shall not be permitted.

Staff recommends approval of the variance since there
is a unique hardship with the drain buffer. Also, there



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is no consistent development pattern in the area that would weigh against approval of an irregular flag-shaped lot.

STORMWATER RECOMMENDATION

1. Add the subdivision number, i.e., 2006S-097U-13, to the plat.
2. Set and label minimum FFE's on lots 1, 2, and 3.

PUBLIC WORKS RECOMMENDATION

No Exception Taken.

CONDITIONS

1. Add the subdivision number, i.e., 2006S-097U-13, to the plat.
2. Set and label minimum FFE's on lots 1, 2, and 3.



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

Planned Unit Development 206-69-G-13
Drury Inn
None
None
28 – Alexander
06 – Awipi
Ragan Smith Associates, applicant for Drury Inns, Inc., owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Amend PUD

Request to amend a Commercial Planned Unit Development overlay district located at 343, 347 Harding Place, and 309 South Perimeter Park Drive (8.26 acres) to permit 207,689 of motel/inn and restaurant.

Zoning
CL District

Commercial Limited is intended for a limited range of commercial uses primarily concerned with retail trade and consumer services, general and fast food restaurants, financial institutions, administrative and consulting offices.

ANTIOCH/PRIEST LAKE COMMUNITY PLAN
Commercial Mixed Concentration (CMC)

CMC policy is intended to include medium high to high density residential, all types of retail trade (except regional shopping malls), highway-oriented commercial services, offices, and research activities and other appropriate uses with these locational characteristics.

Policy Conflict

No, the associated PUD plan proposed for this property is consistent with the area's policy.

PLAN DETAILS
Site Plan

As proposed the plan calls for a total of 207,689 square feet of restaurant and motel/inn space to be located within six buildings on the site. Two restaurants are shown with one providing 6,000 square feet of area, and the second providing 5,000 square feet of area. Four motel/inn buildings that will provide 420 hotel rooms are identified on the plan. Two of these buildings will be new while two are existing. The



Metro Planning Commission Meeting of 3/09/06

History

existing inn to remain is a four story structure with 109 rooms with 37,014 square feet of floor space. One new building will be seven stories and provide 180 rooms with 112,875 square feet of floor space, and the second new building will be four stories with 120 rooms and 46,800 square feet of floor space.

This is an older PUD that was approved for 110,392 square feet of development. Because the requested floor area exceeds the approved area by more than 10%, the request must be approved by Council.

Access

Access is shown at its current location along Harding Place, and along South Perimeter Drive adjacent Perimeter Hill Drive. The access point at Harding Place should be designed to prohibit left turns out of the development onto Harding Place.

Sidewalks

Sidewalks are required along property lines adjacent to roadways. At this time a sidewalk is not being shown along South Perimeter Drive. Either the sidewalk must be added to the plan, or a variance from the sidewalk requirement must be approved by the Metro Board of Zoning Appeals (BZA). An internal sidewalk network is shown and appears to be adequately designed to allow for safe pedestrian movement within the development.

At this time, staff feels that the sidewalk along South Perimeter Drive should be required, or that some other alternative pathway be used. Mature trees and landscaping exist along the west side of South Perimeter Drive, and it would be appropriate for them to remain. Because of a grade change along the west side of the trees, an alternative pedestrian path along South Perimeter Drive west of the trees would allow for a pedestrian connection that would not require the trees to be removed.

Parking

The overall development requires 542 parking spaces, and the plan shows 544 spaces, so it meets current parking standards. Because any sidewalk or alternative design may reduce parking, the entire site may need to be redesigned in order to accommodate parking.

Staff Recommendation

Staff recommends that the amendment be approved with the condition that a sidewalk or alternative



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pedestrian path is provided along South Perimeter Park Drive. Any alternative design must be approved by Planning and Public Works.

PUBLIC WORKS RECOMMENDATION

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. A TIS is required. Scoping meeting was conducted on February 22, 2006. Submit traffic study.

STORMWATER RECOMMENDATION

- Approved except as noted:
1. Use complete culvert note.

CONDITIONS

1. Identify a sidewalk or alternative pedestrian path along South Perimeter Park Drive. Any alternative design must be approved by Planning and Public Works. Any plan should be designed in a way that the existing trees along South Perimeter Park Drive are not negatively impacted.
2. Add complete culvert note as required by Stormwater.
3. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
4. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.



Metro Planning Commission Meeting of 3/09/06

5. 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.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
7. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.



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

Planned Unit Development 28-79-G-13
Cambridge Forest PUD, Phase 6 (Final PUD)
None
None
28 – Alexander
6 – Awipi
Batson and Associates, applicant for Danco Development, Inc., owner

Deferrals

This item was originally submitted for the September 22, 2005, Commission meeting but was deferred indefinitely until Stormwater concerns were addressed. Stormwater approved revised plans on February 9, 2006.

Staff Reviewer
Staff Recommendation

Swaggart
Defer until Water Services has approved construction plans.

APPLICANT REQUEST
Revise preliminary and final

A request for final approval for a phase of a Residential Planned Unit Development, (6.88 acres), for the development of 28 single-family cluster lots.

PLAN DETAILS

Final PUD (Phase 6)

The proposal for Phase 6 consists of 28 single-family cluster lots. The plan is consistent with the approved preliminary.

Cluster Lot Option

PUD standards allow single and two-family lots to be clustered to a greater extent than allowed by the cluster lot provisions of section 17.12.080 in return for extraordinary protection of environmentally sensitive areas in a natural state.

Access

Access to this section will be provided by the extension of Bridge Crest Drive.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken

STORMWATER RECOMMENDATION

Approved



Metro Planning Commission Meeting of 3/09/06

WATER SERVICES RECOMMENDATION

Plans are in the review process but have not been approved.

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 adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.
4. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
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.



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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.
Project Name
Associated Case
Council District
School District
Requested by

Planned Unit Development 170-79-U-07
Vernon Avenue Homes
None
20 - Walls
1 - Thompson
Snyder Williams, Engineering, applicant, for Vernon Avenue Partners, LLC, owner.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST
Revision to Preliminary & Final PUD

A request to revise the preliminary plan and for final approval for a residential Development located on the east side of Vernon Avenue, south of James Avenue (3.7 acres), classified R8, to allow the development of 35 townhouses.

PLAN DETAILS
PUD History

This application is the remaining portion of a 17.4 acre PUD approved for 195 multi-family units arranged in pods throughout the site. The portion west of Vernon Avenue was removed from the PUD in 1987, rezoned commercial and subdivided. The original plan included 43 units on this 3.7 acre portion of the PUD.

Site Plan Details

The plan proposes 35 townhouse units fronting on Vernon Avenue. Parking is located behind the units and away from Vernon Avenue. The developer will construct a new sidewalk and curb and gutter along the frontage of Vernon Avenue and plant trees between the sidewalk and the front of the townhouses. A sidewalk is not being required along James Avenue because it would impact a stream buffer and it was not a requirement of the original PUD. A "B" landscape buffer is proposed along the edge of the property abutting parcel 146, a single family home.

PUBLIC WORKS RECOMMENDATION

Following are review comments for the submitted Vernon Avenue Homes final PUD (170-79-U-07), received January 30, 2005. Public Works' comments are as follows:

Make contribution to the pedestrian network as an alternative to sidewalk installation for the remaining



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un-built segment of sidewalk along Vernon Avenue and James Avenue.

Label and dedicate 5' of right of way along James Avenue (30 feet from centerline), consistent with the approved major street / collector plan.

Verify right of way and easements at northwest property corner (intersection of Vernon and James).

Show easement for guardrail.

STORMWATER RECOMMENDATION

1. Please modify Dedication of Easement to include a drainage easement for the open area between the two culverts that cross Vernon Avenue and James Avenue.
2. Please show dimensions of the outlet control box of the detention and water quality pond on the detail of the grading sheet.
3. The invert elevation shown for headwall HW15 is incorrect. Please revise.
4. The minimum capture rate is required to be 90% for a 24-hour drawdown time in the pond. The capture rate used was 85%. This will yield a slightly higher live pool volume required for water quality. This can be accomplished by raising the live pool depth. Please revise.
5. A detail sheet needs to be provided as part of the grading plan set which shows details of the inlets, headwalls, junction boxes, etc. Details of the structures were submitted separately but are not part of the grading plan. Please revise.

CONDITIONS

1. Comply with all conditions of approval from Stormwater and Public Works as listed above.
2. Prior to the issuance of any permits, confirmation of final approval of this proposal shall be forwarded to



Metro Planning Commission Meeting of 3/09/06

the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Section of the Metropolitan Department of Public Works.

2. If this final approval includes conditions which require correction/revision of the plans, authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) copies of the corrected/revised plans have been submitted to and approved by staff of the Metropolitan Planning Commission.
3. 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.
Project Name
Associated Case
Council Bill
Council District
School District
Requested By

Planned Unit Development 12-87-P-10
Chandler Square PUD
None
None
17 – Greer
7 – Kindall
Peggy Kerbs, applicant/owner

Staff Reviewer
Staff Recommendation

Swaggart
Approve

APPLICANT REQUEST

Cancel PUD

Request to cancel a Commercial Planned Unit Development overlay district (0.26 acres) located at 750 Wedgwood Avenue.

Zoning

ORI District

Office/Residential Intensive is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

Green Hills Midtown Community Plan

Neighborhood General (NG)

NG is intended to meet a spectrum of housing needs with a variety of housing that is carefully arranged, not randomly located. An accompanying Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Detailed Neighborhood Design Plan

Single-Family Detached (SFD)

SFD is intended for single family housing that varies based on the size of the lot. Detached houses are single units on a single lot.

PLAN DETAILS

History

Applicants are requesting that the PUD overlay district on this property be canceled. Because this is only a request to cancel the PUD overlay, a site plan is not required.

This PUD was approved in 1987 to allow for the previous property owner to continue an automobile repair shop that had been in operation on the property through a variance since 1974.

PUBLIC WORKS RECOMMENDATION

No Exceptions Taken



Project No.
Project Name

Planned Unit Development 89P-003G-06
Still Springs Ridge, Phase II (Center for Jewish Awareness)

Associated Case
Council District
School District
Requested by

None
22 - Crafton
9 - Warden
Barge, Waggoner, Sumner and Cannon, applicant for Greater Middle Tennessee Development, owner.

Staff Reviewer
Staff Recommendation

Fuller
Disapprove as a revision. Approve as an amendment requiring Metro Council action.

APPLICANT REQUEST
Revision to Preliminary

A request to revise the approved preliminary plan for a Residential Planned Unit Development, located on the northeast side of Hicks Road (unnumbered), (81.90 acres), to allow for a 12,000 square foot Center for Jewish Awareness to replace a previously approved 10,000 square foot private recreation facility.

PLAN DETAILS
PUD History

In 1995, the Still Springs Ridge PUD was amended to absorb the Hicks Road PUD. At that time a plan was approved for 100 single-family lots and a 10,000 square foot private recreation facility. The proposed uses listed on the approved plans are: community assembly, community facility, lodge, pool and parking.

Site Plan Details

The applicant supplied a list of components for the Center for Jewish Awareness: Social hall/Sanctuary, Library, Kitchen, Youth center and classrooms, Mikvah, Offices and 2 Hospitality Suites. A Mikvah is a natural body of water or a gathering of water that has a designated connection to natural water. The pool is designed specifically for immersion, according to the rules and customs of Jewish law.

The building is located close to Hicks Road, at the front of the site. This area of Hicks Road does have some severe topography but this site is located in a flatter stream valley.

Staff Recommendation

Staff recommends approval of this application as an amendment. A PUD master plan can be revised by the



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Planning Commission, but certain changes, including those that alter the basic concept of the development must be approved by the Metro Council as an amendment.

The original intent of the private recreation facility was for recreational uses for the lots in the PUD, not a use that is more of a religious institution and cultural center. Staff finds that this is a compatible use in the PUD, but does alter the original intent of the PUD and should receive approval from the Metro Council. If the Planning Commission were to approve this requested change as a revision, the Board of Zoning Appeals would be required to consider the 'religious institution' use as a Special Exception. If the Council approves this as an amendment, no BZA action would be required.

PUBLIC WORKS RECOMMENDATION

Show and dimension right-of-way along Hicks Road. Label and dedicate right-of-way 30 feet from pavement centerline to the property boundary, consistent with the approved major street plan.

STORMWATER RECOMMENDATION

Approve.

CONDITIONS

1. Approve as an amendment to the Planned Unit Development, requiring Council approval.
2. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
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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adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.



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

Planned Unit Development 2006P-003U-10
Parkview Towers
None
None
21 – Whitmore
8 – Harkey
Barge Cauthen & Associates, Inc., for West End Properties, LLC, owner

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Preliminary PUD

Request for preliminary PUD approval that is intended to allow for a distance exemption from the beer licensure requirements for an existing facility, proposed for a pizza restaurant, which is located at 212 25th Avenue North.

Reason for Request

Per Metro Ordinance BL2003-1353, restaurants/bars that have obtained a license from the Tennessee Alcoholic Beverage Commission permitting the sale of alcoholic beverages for on-premises consumption will be exempt from the minimum distance requirements for the issuance of beer permits if a commercial PUD is established over the subject property.

Existing Zoning
ORI district

Office/Residential Intensive is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

A full-service restaurant is a permitted use by right within the ORI district.

PLAN DETAILS

The plan shows an existing building currently used for office and residential uses on 25th Avenue North and Reidhurst Avenue.

PUBLIC WORK
RECOMMENDATION

No Exception Taken.

STAFF RECOMMENDATION

Staff recommends conditional approval of the request to establish a PUD on the property currently zoned ORI district. The property is located within the Green



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Hills/Midtown Community Plan which calls for Mixed Use in Neighborhood Urban land use policy.

Staff recommends conditional approval of the proposed plan since the plan, recognized as an existing facility, meets the bulk standards as required by the PUD standards of the Metro Zoning Code.

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.



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

Planned Unit Development 2006P-004U-12
2003Z-080U-12 (Bill Number BL2003-84)
None
32 – Coleman
2 - Blue
Batson Engineering, applicant for Ken and Jamie Broadhead, owners

Staff Reviewer
Staff Recommendation

Swaggart
Approve with conditions

APPLICANT REQUEST
Preliminary PUD

A request for preliminary approval of a Residential Planned Unit Development district, located at 91 Tusculum Road, (4.4 acres) to allow 40 townhomes.

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.

Proposed Zoning
RM9 district

RM9 is intended for single-family, duplex, and multi-family dwellings at a density of 9 dwelling units per acre. RM9 zoning was requested in application 2003Z-080U-12, which was approved by the Planning Commission on June 26, 2003. Council bill BL2003-84 is pending in the Metro Council and was deferred indefinitely prior to second reading on May 3, 2005. Because the Planning Commission recommendation is more than two years old, it has expired and the bill must be re-referred to the Commission for a new recommendation.

SOUTHEASTCOMMUNITY PLAN

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.



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Special Policy Area 3

This special policy applies to the properties within the Whittmore Branch drainage area. A comprehensive stormwater management study should be conducted, and pending a comprehensive solution to the flooding problems in this area, any rezoning should be contingent on stormwater management solutions proposed and undertaken by the applicants that improve the drainage situation over both the current situation and what would be accomplished simply by meeting current regulatory requirements. Any site specific recommendation of the comprehensive stormwater management study shall be incorporated in the proposed neighborhood plan. In addition, the average density of each of the planned neighborhoods should not exceed nine housing units per acre.

Policy Conflict

No, the proposed RM9 district and associated PUD plan are consistent with the area's policies. The final PUD will be required to show how stormwater plans will address the special policy.

SITE PLAN

The preliminary plan consists of 40 condominium units on approximately 4.45 acres with an overall density of nine dwelling units per acre.

Access

Access to all units will be provided by a private drive off of Benzing Road.

Landscaping Plan/Buffer Yards

A 10 foot "B" type buffer yard is shown along the east, west and south property lines. A 20 ft "B" buffer yard is show adjacent Benzing and Tusculum Roads.

STORMWATER RECOMMENDATION

Preliminary Approved

PUBLIC WORKS RECOMMENDATION

1. Any approval is subject to Public Works approval of the construction plans. Final design and improvements may vary based on field conditions.
2. Solid waste collection and disposal must be approved by Public Works Solid Waste Division.



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3. Document adequate site distance at project entrance prior to submitting construction plans.
4. Improvements to Benzing Road may be required. Improvements to be determined with final PUD plan/construction plan review.
5. Proposed sidewalks to be constructed to Public Works standards and specifications. Sidewalk to be located within right of way.
6. Maximum slopes on private streets to be 14%.
7. Show 14% maximum slopes on private streets.

CONDITIONS

1. Correct north arrow.
2. Prior to final PUD approval the plan must be revised to include a revised sidewalk design so that the entire development is connected to Benzing Road by a sidewalk.
3. Final PUD must demonstrate how it will meet special policy for stormwater.
4. Prior to the issuance of any permits, confirmation of preliminary approval of this proposal shall be forwarded to the Planning Commission by the Stormwater Management division of Water Services and the Traffic Engineering Sections of the Metropolitan Department of Public Works.
5. Subsequent to enactment of this planned unit development overlay district by the Metropolitan Council, and prior to any consideration by the Metropolitan Planning Commission for final site development plan approval, a paper print of the final boundary plat for all property within the overlay district must be submitted, complete with owners' signatures, to the Planning Commission staff for review.
6. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the



Metro Planning Commission Meeting of 3/09/06

Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.

7. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees.
8. This preliminary plan approval for the residential portion of the master plans is based upon the stated acreage. The actual number of dwelling units to be constructed may be reduced upon approval of a final site development plan if a boundary survey confirms there is less site acreage.



Project No.
Project Name

2006IN-001U-10
Lipscomb University I.O. Plan (Parking Structure/Tennis Courts)

Associated Case
Council Bill
Council District
Requested By

None
None
25 – Shulman
Tuck Hinton Architects for David Lipscomb University, owner.

Staff Reviewers
Staff Recommendation

Leeman
Approve with conditions

APPLICANT REQUEST
Institutional Overlay District

Request to revise a portion of the preliminary master plan for the Institutional Overlay District located between Granny White Pike and Belmont Boulevard, to relocate a three-level, 440 car parking structure, including above-ground tennis courts on top of the parking structure.

Zoning Overlay
IO district

The purpose of the Institutional Overlay district is to provide a means by which colleges and universities situated wholly or partially within areas of the community designated as residential by the General Plan may continue to function and grow in a sensitive and planned manner that preserves the integrity and long-term viability of those neighborhoods in which they are situated. The institutional overlay district is intended to delineate on the official zoning map the geographic boundaries of an approved college or university master development plan, and to establish by that master development plan the general design concept and permitted land uses (both existing and proposed) associated with the institution.

GREEN HILLS/MIDTOWN
COMMUNITY PLAN

Major Institutional Policy (MI)

MI is intended to apply to existing areas with major institutional activities that are to be conserved, and to planned major institutional areas, including expansions of existing areas and new locations. Examples of appropriate uses include colleges and universities, major health care facilities and other large scale community services that do not pose a safety threat to



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Policy Conflict

the surrounding neighborhood. On sites for which there is no endorsed campus or master plan, an Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in this policy area.

No. The IO district is intended for areas designated wholly or partially as residential by the General Plan.

PLAN DETAILS

This plan proposes to move an approved, unbuilt parking structure from one portion of the campus along Belmont Boulevard to another part of the campus that is more internally situated. The structure is proposed where the existing tennis courts are currently located. The proposal increases the number of parking spaces from 400 to 440 spaces for the affected portion of the campus. Section 17.40.140 of the Zoning Code stipulates that minor changes (not exceeding 10% within the modification area) may be considered revisions by the Planning Commission. Anything over a 10% increase in parking must be considered by the Metro Council. The proposed increase from 400 parking spaces to 440 parking spaces within the same three-level parking structure does not exceed 10% of the total for the modification area, including the remaining surface parking spaces from the previous location of the parking structure.

The three-level structure will be located partially below grade with six tennis courts to be relocated to the top of the structure one level above grade. The two tennis courts closest to Granny White Pike will remain in their current configuration.

Access

Access to the parking areas remains the same. The driveway location along Belmont remains offset from Green Hills Drive, as was a requirement of the preliminary Master Plan due to neighborhood concerns about traffic.

Square Footage

The parking structure totals approximately 50,400 square feet.

Tennis Court Fencing/Lighting

The tennis court lighting fixtures will be 20 foot poles and will provide 75 foot-candles (a standardized measurement of lighting) at the playing surface; the fixtures will include cutoffs to eliminate light from bleeding off the court and off the property line. The



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tennis court fencing will be 12 feet in height at the top of the parking structure. The applicant has indicated that the NCAA requirement for practice tennis courts is a minimum of 75 foot-candles. Staff researched the typical lighting requirement for tennis courts of this kind (with no spectator facilities) and found that the average is around 40 foot-candles. Although the amount of proposed lighting is greater than the average for this type of courts, staff believes that the internal location of the tennis courts and the fencing will be sufficient to protect the surrounding residential areas from unnecessary lighting.

**PUBLIC WORKS
RECOMMENDATION**

No exception taken.

**FIRE MARSHAL
RECOMMENDATION**

Approve

**STORMWATER
RECOMMENDATION**

Approve as noted: Grading permit approval (if applicable) is required prior to any construction activities.

CONDITIONS

1. All conditions of the original preliminary I.O. plan approval still apply.



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

Urban Design Overlay 2005UD-003G-12
Carothers Crossing, Phase 1
None
31- Toler
2- Blue
Wood Ridge Development LLC, owner.

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Final UDO

Request for final approval of a phase of the Urban Design Overlay to permit the development of 20 detached single-family lots, located at 7244 Carothers Road.

PLAN DETAILS

Phase 1 proposes 20 single-family detached units with access off of Carothers Road. A stub street is provided to the east to connect to development outside of the UDO. The size of the lots range in size from 10,500 to 15,600 square feet. The Carothers Crossing UDO is divided into four neighborhood zones: Town Center, Neighborhood Center, Neighborhood General, and Neighborhood Edge. This is within "The Hamlet" portion of the Neighborhood Edge of the UDO. This section is the smallest and is the most rural in character. The Neighborhood Edge zone allows for two-unit townhouses, medium/large houses, and mansion/villa style houses. With this phase, the large house style is proposed. This is consistent with the preliminary UDO approved by the Commission in June 2005.

Staff recommends approval of this phase since it meets the UDO standards and is consistent with the preliminary UDO document.

PUBLIC WORKS
RECOMMENDATION

1. Delete roadway x-section shown and replace with ST-252. Note that the grass strip is to be 6 feet instead of the standard four.
2. Show installation of handicap ramps at street intersection.
3. Include PW standard construction notes to plan.



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Public Works Construction Notes:

1. All work within the Public right-of-way requires an Excavation Permit from the Department of Public Works.
2. Proof-rolling of ALL street sub-grades is required in the presence of the Public Works Inspector. This requires is to be made 24 hours in advance.
3. Stop signs to be 30 inch by 30 inch.
4. Street signs to have six inch white letters on a nine inch green aluminum blade.
5. All signs to have 3M reflective coating.

Traffic Comment:

1. Comply with all previous conditions.
2. As per Ordinance BL2005-683, prior to recording a final plat for any phase, the following conditions apply:

The applicant shall submit a traffic improvements and mitigation phasing plan for review and approval by the Planning Commission prior to approval of the initial subdivision plat. This plan shall be reviewed and recommendations provided by the Department of Public Works and Planning Department. The plan shall identify specific traffic improvements and mitigation measures needed to address the impact of the development on Burkitt Road and Old Hickory Blvd. and any additional measures needed to address the impact of the development on Burkett Road and Old Hickory Blvd. and any additional issues presented in the TIS. The plan shall establish the applicants pro rata share of the identified improvements and a schedule for construction of the improvements or the means for payment or bonding of the pro rata share.

STORMWATER RECOMMENDATION

1. Sign the note concerning the submittal of the NOI to the state or provide a statement in a letter to address the NOI.
2. Locate the benchmark for the project.
3. Provide the following information on the downstream structures: location, size, type, slope, inverts, capacity and actual flow to the structures.



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4. Provide additional temporary erosion and sediment control notes (specifically concerning the site being left bare for 15 days) per TCP-05.
5. Add notes concerning final stabilization of the site. There are 2 pages with different erosion and siltation control notes - ensure that all of these notes are not redundant.
6. Confirm if the waterway that flows through one of the detention ponds is not considered "waters of the state" by TDEC. If it is, Metro does not allow inline detention.
7. Refer to the appropriate section of Metro's Stormwater Management Manual, Volume 4, for all BMP details.
8. Add the following EPSC note to the plan:
I, _____, Certified Erosion Control Specialist, have reviewed the plan for sufficient onsite temporary erosion and sediment control provisions.

Signature

CONDITIONS

1. All Public Works and Stormwater conditions of approval listed above must be met.
2. 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.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits. If any cul-de-sac is required to be larger than the dimensions specified by the Metropolitan Subdivision Regulations, such cul-de-sac must include a landscaped median in the middle of the turn-around, including trees. The required turnaround may be up to 100 feet diameter.



Project Name

**Expanded Subdivision Regulations –
Public Hearing**

Council District

Metro-wide

School District

Metro-wide

Requested By

Planning Department

Staff Reviewer

Bernards

Staff Recommendation

Adopt the expanded Subdivision Regulations.

PROPOSAL

Adopt the expanded Subdivision Regulations to become effective on April 27, 2006, and repeal, April 27, 2006, the Subdivision Regulations adopted March 21, 1991, as amended.

ANALYSIS

Authority

Both the Metro Charter and Tennessee state law authorize the Commission to adopt subdivision regulations. These regulations are intended to "provide for the harmonious development of the municipality and its environs, for the coordination of streets within subdivisions with other existing or planned streets or with the plan of the municipality or of the region in which the municipality is located, for adequate open spaces for traffic, recreation, light and air, and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience and prosperity."

Proposed Subdivision Regulations

This rewrite of the Subdivision Regulations has been undertaken:

- To create an expanded set of subdivision regulations that reflects the diversity of the development throughout Davidson County;
- To better reflect actual practice in implementing the regulations; and
- To ensure consistency in references and correct reference and typographical errors.

For the most part, applicants can continue to develop subdivisions as before but they can also opt to take advantage of the opportunity for increased flexibility that provides for innovations in the design of subdivisions. Proposals for substantive changes and additions are highlighted later in this report.



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Staff has discussed the proposed expanded Subdivision Regulations with the Commission at two separate work sessions. The December 30, 2005 draft of the expanded Subdivision Regulations was distributed to the Commission January 4, 2006. A copy of the proposed expanded Subdivision Regulations is enclosed with this staff report to the Commission and can be viewed by public at:

http://www.nashville.gov/mpc/expanded_subdiv_regs.htm

General Comments

The first major step in the development process is to divide a parcel of land into lots and streets. How land is divided defines the pattern of a community, which in turn shapes its character.

Dividing land also defines traffic circulation patterns and access, dedicates rights-of way, and reserves tracts of land to protect environmental resources (floodplains, steep slopes, wetlands, forested areas). Subdivision regulations guide development of land consistent with the established ordinances and policies of the Metro Nashville Government. Subdivision regulations provide the community with an opportunity to ensure that new neighborhoods and developments are properly designed and that new subdivisions are integrated into the community.

Proposed Changes

The expanded Subdivision Regulations include amendments to the existing regulations and additional regulations.

Chapter 1. General Provisions

This Chapter provides the authority to regulate subdivisions and has been revised to reflect the updating of the regulations. Additions to this Chapter include a how to use these regulations section, a requirement to make a declaration of development preference, and an automatic updating of cross references and numbering when amendments are made.

Chapter 2. Procedures for Plat Approval

This Chapter, formerly Chapter 3, describes the application and review process for subdividing land. Substantial amendments are proposed.

Subdivisions are formally classified into three types of subdivisions:



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- Major Subdivision: a subdivision of two or more lots that includes major infrastructure improvements.
- Minor Subdivision: a subdivision of more than two lots that does not include major infrastructure improvements.
- Partition: a subdivision into no more than two lots that does not include major infrastructure improvements.

A three tier approval process for major subdivisions has been developed. The first tier is the submission of a concept plan, similar to a preliminary plat that requires approval by the Planning Commission. The second tier is the submission of a development plan, similar to the construction plans now submitted with final plat stage. The Executive Director may approve a development plan administratively if there are no major changes from the concept plan. The third tier is the submission of a final subdivision plat to be recorded. The final subdivision plat will include only information required to be on a final plat and can be approved administratively by the Executive Director if there are no major changes from the development plan.

A coordinated review of subdivision applications by all departments throughout the approval process has been formalized. An option for coordination of subdivision approval and zoning map amendments has been provided.

Chapter 3. General Requirements for Improvements, Reservations, and Design

This chapter, formerly Chapter 2, describes the development and design standards for subdivisions. While subdivision development may occur largely as permitted now, both minor and substantive changes are proposed.

Critical lots:

Many of the sites remaining in Davidson County are more difficult to develop; proposed revisions to the regulations allow critical lots on these sites to be reviewed in the context of the subdivision rather than just as individual lots.



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Flag lots:

Criteria added to guide when this lot pattern may be appropriate.

Double frontage lots:

A preferred development pattern added for lots fronting on arterials and collectors.

Lot comparability:

The section has been amended to clarify that “abutting” does not include lots to the back as was intended in the amendments made several years ago.

Blocks:

Maximum block length reduced to 1,200 feet.

Streets:

- Improvements section modified to reflect actual practice.
- Tables removed and references to the respective departments’ standards added.
- Added preferred alternatives to cul-de-sacs and landscape requirement for turnarounds of 50 foot or greater radius.
- Private streets permitted in UDOs, SP Districts and Rural Areas; provision for infill development on non-standard streets added.
- Construction Inspection section modified to reflect actual practice.

Signs:

Added requirements for temporary dead-end street and greenway signs.

Public Water Facilities:

Added requirement to meet fire flow capacity.

Underground Utilities:

Added reference.

Special Planning Districts:

Added reference to SP Districts in sections applicable to PUDs and UDOs

Chapter 4. Conservation Subdivisions

This new chapter enables a development that groups housing on the more buildable portion of a tract, while preserving at least 50 percent of the tract including natural drainage systems, open space, and environmentally and culturally sensitive areas.

The proposed Conservation Subdivisions:



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- Provide for the preservation of open space as a watershed protection measure.
- Permit flexibility of design in order to promote environmentally sensitive and efficient use of the land
- Preserve in perpetuity unique or sensitive natural resources, scenic views, and historic, cultural, and archaeological sites.
- Reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- Minimize land disturbance and removal of vegetation during construction resulting in reduced erosion and sedimentation.
- Promote interconnected greenways and wildlife and other natural corridors through the community.

The proposed requirements for Conservation Subdivisions include:

- A required pre-application conference and a four-step process to lay out the subdivision.
- Applicable to Natural Conservation, Rural and Interim Non-Urban policy areas.
- Applicable to AR2, R80, RS80, R40, RS40 zoning districts.
- Addresses roads designated as scenic arterials.
- Permits only single family development.
- Requires a transition in lot size from abutting properties before reduced lot sizes are permitted.
- Zoning text amendments will be necessary to fully implement Conservation Subdivisions.

Chapter 5. Walkable Subdivisions

This new chapter provides standards to support more walkable subdivisions through improved connections, reduced block lengths, the discouragement of cul-de-sacs, and the provision of context sensitive street design.

The proposed Walkable Subdivisions:



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- Allow for lots to front onto an open space.
- Discourage double frontage lots.
- Provide for subdivision standards to increase opportunities for home ownership
- Encourage open spaces.
- Emphasize street and pedestrian connectivity in residential, commercial, and mixed-use developments.
- Support hamlet-style development and infill development.
- Encourage open spaces.

Zoning Code amendments will be necessary to implement portions of this chapter to allow.

- Small-lot subdivisions facing onto a green space referred to as Cottage subdivisions.
- Attached housing in fee simple ownership.
- Both are only applicable in zoning districts allowing multi-family residential uses.

Chapter 6. Assurance for Completion and Maintenance of Improvements

This chapter, formally Chapter 4, describes the process for an applicant to guarantee the completion and maintenance of required improvements following final plat of subdivision approval. The proposed changes update the chapter to reflect actual practices. More detail has been provided on the process for releasing, reducing, or extending performance bonds.

Chapter 7. Definitions

This chapter, formerly Chapter 5, defines the words and terms used in the regulations. New definitions are proposed, a number of definitions have been modified to correspond with other Metro code definitions, and definitions that were no longer relevant to the regulations are proposed to be deleted.

Chapter 8. Adoption of Regulations and Amendments

This chapter, formally Chapter 6, provides details of the adoption of the regulations and is the place to record future amendments to the regulations. The format for this chapter remains unchanged.



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Appendices

Appendix A. Plat Certificates

This appendix, formerly Appendix B, contains all of the required plat certificates. Certificates that were in the regulations have been moved to this appendix and certain certificates that are no longer used have been proposed to be deleted.

Appendix B: Critical Lots – Plans and Procedures

This appendix, formerly Appendix C, contains the lot plan requirements for critical lots and has been updated to reflect current practices.

Appendix C: Outline for Construction Process

This new appendix provides an outline for the construction process of required infrastructure.

Submittal Checklists

(Formerly Appendix A) and the Fee Schedule have been removed to become stand-alone documents.

Zoning Text Amendments 2006Z-014T and 2006Z-015T

Two zoning text amendments are proposed to fully implement the expanded Subdivision Regulations. The first would permit lot reductions in Conservation Subdivisions in order to achieve the 50 percent conservation lands requirement. The second would permit lot reductions in Walkable Subdivisions to increase home ownership opportunities in multi-family zoning districts.

Outreach Program

The development of the expanded Subdivision Regulations was guided by a Steering Committee made up of Metropolitan Planning Commission and Legal staff and advised by an Advisory Committee made up of representatives of Public Works, Water Services, Stormwater Management, Parks and Greenways, Codes, Legal, Fire Marshal and Health. Planning staff met with the Advisory Committee as a whole and with individual representatives throughout 2005.

Two neighborhood meetings were held. The first at the onset of the development of the expanded Subdivision Regulations and the second prior to the October 25, 2005, draft being placed on the website for general comment.

Two meetings were held with the development community. The first at the onset of the development of



Metro Planning Commission Meeting of 3/09/06

the expanded Subdivision Regulations and the second shortly after the October 25, 2005 draft was placed on the website for general comment. In addition, staff met with specific groups individually when requested. A number of questions were raised at the second meeting. A copy of the questions with the staff responses is enclosed with this staff report to the Commission and can be viewed by the public at:

http://www.nashville.gov/mpc/esr/questions_from_november_15.pdf

Approximately 380 neighborhood groups and 180 development interest groups were notified by email that the draft expanded Subdivision Regulations were available for review and comment. The same groups were notified by email of the March 9, 2006 Public Hearing date for consideration of the expanded Subdivision Regulations.

STAFF RECOMMENDATION

Staff recommends **approval** of the Expanded Subdivision Regulations.



Project Name

Revision to Planning Commission Rules

Staff Reviewer

Bernards

Staff Recommendation

Approve

PROPOSAL

Adopt revision to the Rules and Procedures of the Metropolitan Planning Commission regarding notification for Public Hearings for amendments to the Subdivision Regulations.

ANALYSIS

Authority

Both the Metro Charter and Tennessee state law authorize the Commission to adopt rules to deal with procedural issues. These rules are separate from the Commission’s substantive regulations and do not set any standards for the review of applications considered by the Commission.

The Commission may amend the Rules and Procedures at any regular or special meeting of the Commission by the positive vote of six members provided all members have been notified by mail of the proposed amendment at least ten days prior to the meeting. This staff report on this proposed revision was mailed to the Commission members on February 17, 2006.

Proposed Revision

Section VIII E requires that prior to the consideration of an amendment to the Subdivision Regulations, the Commission shall set a date for a hearing and provide public notice of the hearing in the body of two newspapers of general circulation 15 to thirty 30 days prior to the hearing.

Sections 13-3-403 and 13-4-303 of the Tennessee Code Annotated require a public hearing and 30 days notification of a public hearing in one newspaper of general circulation whenever amendments are made to the Subdivision Regulations.

In order to ensure that the Rules and Procedures of the Commission comply with the State requirements, it is proposed that Section VIII E be revised to require notification 30 days prior to the hearing.



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In addition, it is proposed that the requirement for publishing the public hearing notice be revised to one newspaper of general circulation to match the State requirement. As it is the usual practice for public hearing notices to be published in the Tennessee Tribune and El Crucero, both of which have a targeted readership but do not qualify as newspapers of general circulation, there will continue to be broad notification of public hearings.

Proposed Revision	Old Language	New Language
<p>Revise notification of public hearing from 15-30 days to 30 days.</p> <p>Revise requirement to advertise in two newspapers of general circulation to one newspaper of general circulation.</p>	<p>E. SUBDIVISION REGULATIONS. The Subdivision Regulations as duly adopted by the Planning Commission and subsequently amended are incorporated herein by reference as if copied verbatim. Prior to the consideration of new regulations, the Commission shall set a date for a public hearing. The hearing shall be advertised in the body of <u>two</u> newspapers of general circulation <u>15 to 30</u> days prior to the hearing. Conduct of the hearing shall be in conformance with Section VII B of these rules.</p>	<p>E. SUBDIVISION REGULATIONS. The Subdivision Regulations as duly adopted by the Planning Commission and subsequently amended are incorporated herein by reference as if copied verbatim. Prior to the consideration of new regulations, the Commission shall set a date for a public hearing. The hearing shall be advertised in the body of <u>one</u> newspapers of general circulation <u>30</u> days prior to the hearing. Conduct of the hearing shall be in conformance with Section VII B of these rules.</p>

STAFF RECOMMENDATION

Approve the revision to Commission Rules and Procedures Section VIII E., Subdivision Regulations, as proposed.