



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

Subdivision 2004S-162U-10
Hobbs Place
None
34- Lynn Williams
8- Harkey
Gresham Smith and Partners, for Thomas and Lesley Nabors, owners.

Deferral

This item was deferred at the June 10, 2004, Planning Commission meeting at the request of the applicant.

Staff Reviewer
Staff Recommendation

Leeman
Approve with conditions, including a variance to the 4:1 Rule

APPLICANT REQUEST
Preliminary Plat

This request is to subdivide 0.91 acres on one existing lot into two duplex lots (four total units), at 3300 Hobbs Road, along the north side of Hobbs Road. The lots will be served by a private joint access easement, not a public road.

ZONING
R20 District

R20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots. However, since this parcel was created before August 1, 1984, the Zoning Regulations allow each new lot to have a duplex for any subdivision up to three lots.

SUBDIVISION DETAILS

This plat proposes two lots of 20,098 s.f. and 20,470 s.f., with frontages of 79 feet and 24 feet. The comparability standards require the lots to be no less than 38,387 s.f., with a minimum frontage of 129 feet.

Although the two proposed lots fail lot comparability for lot frontage and lot size, the applicant has requested a waiver under Section 2-4.7 A1 of the Subdivision Regulations. This section of the regulations allows the Planning Commission to grant a waiver to the lot comparability standards when a subdivision is within a one-half mile radius (2,640 feet) of a Regional Activity Center (RAC) policy. This subdivision is approximately 2,400 feet from the Green Hills Mall RAC policy. Staff supports the lot comparability waiver since this layout is consistent with the pattern of development along the north side of Hobbs Road.



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Variance
4:1 Rule

Section 2-4.2E of the Subdivision Regulations requires the lot width at the frontage of the lot to be not less than 25% of the average lot depth. The applicant has requested a variance to this rule stating: "The existing lot has a long and narrow configuration that barely satisfies the 4:1 standard in its current condition."

Sidewalks

Although sidewalks are not required for properties zoned R20 or larger, there is an existing sidewalk along the frontage of Hobbs Road. The applicant is also providing a 5 foot sidewalk along the joint access easement leading back to the two lots.

TRAFFIC ENGINEER'S FINDINGS

No exception taken.

CONDITIONS

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

1. Buildings must be located so as to avoid the existing 20 foot wide sewer easement at the back of the lot.
2. All common parking areas must be located as shown on the preliminary plat. No common parking spaces are to be located directly facing Hobbs Road.
3. The front-façade of the unit along Hobbs Road shall face Hobbs Road.



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

Subdivision 2004S-163U-10
Woodmont Village
None
25 - Shulman
8- Harkey
Gresham Smith and Partners, for John Cobb, owner.

Deferral

This item was deferred at the June 10, 2004, Planning Commission meeting at the request of the applicant. The applicant has changed the request from three lots to two lots.

Staff Reviewer
Staff Recommendation

Leeman
Approve

APPLICANT REQUEST
Preliminary Plat

This request is to subdivide 0.95 acres on one existing lot into two duplex lots (four total units), at 3500 Granny White Pike, at the southeast corner of Granny White Pike and Woodmont Boulevard. The lots will be served by a private joint access easement, not a public road. Access will be from Woodmont Boulevard only.

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. However, since this parcel was created before August 1, 1984, the Zoning Regulations allow each new lot to have a duplex for any subdivision up to three lots.

Residential Low (RL) Policy

The RL policy was applied to this area because it is developed residentially with densities at or below 2 dwelling units per acre. According to the Subarea 10 Plan, "the intent of this plan is to ensure that future development of infill sites conform with the existing character of surrounding areas...and the plan recommends that the prevailing character and densities of these areas be conserved." Although this plan proposes a density of 4.2 dwelling units per acre, which exceeds what the RL policy calls for in this area, it is consistent with the surrounding densities at this intersection. According to the tax records, there are duplexes existing on parcels 57, 58, and 60 across the



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street. There is also an existing duplex on the property immediately to the east on parcel 62.

SUBDIVISION DETAILS

This plat proposes two lots of 21,364 s.f. and 17,615 s.f., with frontages of 92 feet, 113 feet, and 190 feet.

Lot Comparability

No variances are requested. All lots now pass the Lot Comparability standards for lot size and lot frontage with the reduction of the number of lots from three to two. The minimum required lot size is 15,860 square feet and the minimum allowable frontage is 92 feet.

Sidewalks

Sidewalks are proposed along both frontages of Woodmont Boulevard and Granny White Pike.

TRAFFIC ENGINEER'S FINDINGS

No exception taken.



Project No.
Project Name

Subdivision 2004S-092A-07
West Meade Farms, Resub of Lot 12,
revision to lot 2

Associated Cases
Council District
School District
Requested By
Deferral

None
23 - Whitson
9 - Harkey
Brad Bolton, owner,
Deferred from 6/10/04 Commission Meeting

Staff Reviewer
Staff Recommendation

Fuller
Approve

APPLICANT REQUEST
Final Plat Amendment

Change the platted setback at 223 Brook Hollow Road from 225 feet to 180 feet.

The Planning Commission heard a similar request on April 8, 2004. At that time the applicant requested the setback be changed from 225 feet to 125 feet. The Planning Commission disapproved the request indicating that the setback should remain at 225 feet.

ZONING
RS80 District

The RS80 district requires a minimum 80,000 square-foot lot and is intended for single-family dwellings at a density of 0.46 dwelling units per acre.

APPLICATION DETAILS

The proposed lot was created in 1998, and the subdivision plat was approved with the condition that the lot have a 225-foot setback on Brook Hollow Road. Staff was unable to locate discussion of this condition in the minutes or the staff report from the meeting, but it is assumed that this setback was required because it would put the house at the same setback as the house next door to the north (6301 Jocelyn Hollow Road).

The applicant also owns 6301 Jocelyn Hollow Road and intends to demolish the existing home and build a new home fronting Jocelyn Hollow Road, creating a side yard of 150 feet on Brook Hollow Road. The applicant requests this amendment to allow the setback on the lot in question to be similar to the side lot setback for the new house to be built at 6301 Jocelyn Hollow.



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Platted Setbacks

The house to the south of the subject property is set back 290 feet from Brook Hollow Road. The setbacks on the rest of Brook Hollow Road are not uniform and range from around 90 feet up to 400 feet.

The final plat of West Meade Farms, Section I, recorded in 1948, put the setback for all other lots on Brook Hollow Road at 100 feet. Many of them are currently built with greater setbacks, but there are no restrictions from keeping someone from building at the 100-foot setback in the future.

Street Setbacks

(Zoning Ordinance 17.12.030.)

In residential areas with an established development pattern, the required setback is the average of the lots immediately adjacent or the value specified in Table 12.12.030A, whichever is greater. However, if the average setback is greater than the standard required by the table, the setback shall not be more than twice that required by the table.

The average setback of the adjacent houses is 257 feet. The setback required by Table 17.12.030A is 40 feet. Therefore, the Code provides that the required setback is not required to be more than twice the value specified in the table, or 80 feet. The applicant's request to amend the setback is within allowable limits set out in the Zoning Code.



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

Subdivision 2004S-161U-10
Glen Echo, Resubdivision of Lot 12
None
25 - Shulman
8 - Harkey
Barge, Waggoner, Sumner & Cannon, applicant, for Eugene T. Collins, owner

Deferral

This item was deferred at the request of the applicant at the June 10, 2004, Commission meeting.

Staff Reviewer
Staff Recommendation

Mitchell
Approve with a recommendation to grant a waiver for Lot Resubdivision Comparability since the property is located within 1/2 mile of a Regional Activity Center, and a recommendation to disapprove the requested sidewalk variance.

APPLICANT REQUEST
Preliminary & Final Plat

Subdivide a 0.89-acre tract into a 2-lot subdivision, at a proposed density of 2.2 dwellings units per acre. The applicant is also seeking a sidewalk variance for the requirement to construct a Metro-standard sidewalk along Hillmont Drive fronting the two new lots.

ZONING
R10 district

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

SUBAREA 10 POLICY
RL (Residential Low-Density)

This subdivision falls within the Subarea 10 Plan's Residential Low-Density (RL) policy. The RL policy was applied to this area because it is developed residentially with densities at or below 2 dwelling units per acre. According to the Subarea 10 Plan, "the intent of this plan is to ensure that future development of infill sites conform with the existing character of surrounding areas...and the plan recommends that the prevailing character and densities of these areas be conserved."

*February 10, 2003
Glen Echo / Hillmont
Community Meeting*

On February 10, 2003, planning staff met with Councilman Shulman and invited citizens at the Green Hills Library Branch to discuss the intensification of



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this area of Green Hills. The citizens expressed that single-family homes were preferred over duplexes, that the intensification of their neighborhood was acceptable under an RLM land use policy, and that the applicant's (previous) request – to subdivide Lot 12 into three lots – be disapproved because of the considerable size difference between the proposed lots and existing lots on Hillmont Drive. Staff concluded that an extension of the RLM policy should be seriously considered south of the zoning line between Graybar Lane and Hillmont Drive and inclusive of all lots along Glen Echo Road and Benham Avenue.

SUBDIVISION DETAILS

The 0.89-acre tract lies along the north margin of Hillmont Drive, and just north of Glen Echo Road. The applicant is proposing two lots, each 72.52 feet in width and lot sizes of 19,036 and 19,776 square feet. This plan proposes a density of 2.2 dwelling units per acre. Although this density still exceeds the Subarea 10 Plan's RL policy of 0-2 units per acre, staff believes it would be appropriate to update the policy for this area to support greater infill developing. In addition, at previous neighborhood meetings, some residents of this area recommended that the applicant return to the Planning Commission with a 2-lot subdivision in lieu of the previously proposed 3-lot subdivision.

SUBDIVISION VARIANCES

Sec. 2-6.1, Sidewalks

The applicant has requested a sidewalk variance due to the absence of sidewalks along Hillmont Drive, due to the amount of drainage construction that would be required to meet Metro Public Works sidewalk construction standards, and due to the possibility of having to relocate or remove a utility pole and existing trees, respectively.

The subdivision regulations require a 5-foot wide public sidewalk and a 4-foot wide grass strip along the frontage of the residential properties less than 20,000 square feet in size to be located within the public right-of-way. Should an applicant believe that the installation of sidewalks creates an undue hardship; a variance may be requested by the Planning Commission. The Planning Commission will make findings based upon the evidence to determine if a claimed hardship is true. In making a recommendation



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Sidewalk Constructability Report

Staff Recommendation

METRO PUBLIC WORKS' RECOMMENDATION

to the Planning Commission, staff has reviewed the criteria and determined that:

- The conditions upon which the request for this variance is based are not unique to the subject property and are applicable to other surrounding properties.
- The physical surroundings, shape of the lot frontage, and topography of the grassy swale fronting the subject property do not create an undue hardship to the owner of this property.

The Metro Public Works' Sidewalk Constructability Report states that currently there is a grassy swale, one utility pole at or near the northeast corner of the parcel, and that the street currently has no sidewalk, nor curb and gutter system. Construction of a standard Metro sidewalk along this lot would require the installation of a curb and gutter and possible relocation of one utility pole.

Staff recommends disapproval of the sidewalk variance. Staff further recommends that any sidewalk constructed in front of the two lots stop short of the one utility pole at the far northeast corner of the site. The relocation of the one utility pole is not practical because it is located in the far northeast corner of the site – essentially on the property line. If the sidewalk is continue in the future or a sidewalk is brought southward to join, the relocation of one or more utility poles must be completed in conjunction with the new sidewalk connection.

No exception taken.



Project No.

Zoning Text Changes 2004Z-009T & 2004Z-017T

Associated Case

None

Council Bill

BL2004-237

Council District

Countywide

Requested by

Councilmember Feller Brown

Staff Reviewer

Regen

Staff Recommendation

Disapprove existing proposed bill(2004Z-009T) and housekeeping bill (2004Z-017T); recommend additional community discussion before making a recommendation on the proposed substitute and housekeeping bills.

APPLICANT REQUEST

Amend Zoning Code to limit residential development in floodplains and floodways. Clarify and cross-reference sections relative to floodplain development standards.

This staff report has been divided into several analysis sections: Existing Law, Proposed Text, Options, and Staff Recommendation.

OPTIONS

There are several options the Planning Commission may wish to consider in evaluating this proposed bill. The options listed below will be discussed in greater detail at the end of this report:

Option A: Recommend approval of the bill “as is”.

Option B: The Commission may want to request the bill sponsor hold some community meetings concerning the bill with developers, affected property owners, affected councilmembers, and neighborhood groups to receive feedback on it.

Option C: The Commission may want to consider a substitute bill submitted to staff that the sponsor intends to file with the Metropolitan Clerk.

Option D: Any combination of options A, B, and/or C.



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ANALYSIS

Existing Law

Currently, residential development is permitted in floodplain areas. Property owners are required to preserve 50% of the natural floodplain, and the remaining 50% is eligible for development. Example: 100 acres of land of which 50 acres is in the floodplain. Presently, the property owner would be required to preserve 25 acres, with the remaining 25 acres eligible for development. Developers may voluntarily select to do a cluster-lot subdivision which allows a transfer of density on the preserved floodplain to other developable portions of the property. The resulting transfer gives a perceived bump in density because the preserved floodplain area is counted as if it can be developed, when in fact it cannot be.

Proposed Text Change

This council bill proposes to prohibit residential development on portions of property encumbered by floodway or floodplain in all zoning districts, except in limited situations such as AG, AR2a, R/RS80, and R/RS40. It would also make unavailable the residential cluster-lot option for parts properties encumbered by floodplain. Bill would affect several thousand properties in Davidson County.

See table below comparing text of existing Zoning Code to Council bill to proposed substitute Council bill. The housekeeping bill merely provides cross-referencing and clarification to other sections of Zoning Code in light of substitute bill.



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CURRENT ZONING CODE	BILL FILED	PROPOSED SUBSTITUTE BILL
Preserve 100% of the floodway	No change.	No change.
Preserve 50% of the floodplain area.	No change.	No change.
Permit development within the remaining 50% of the floodplain	No change.	No change.
Permit limited encroachments into the preserved natural floodplain no greater than 20% of the floodplain area.	No change.	No change.
Residential lot size controlled by base zoning or cluster-lot provisions.	Permit single-family and two-family dwellings only in the AG, AR2a, R/RS80, and R/RS40 districts.	Require all lots within any floodplain area to be equal to, or larger than (a) 30,000 square feet, or (b) the minimum lot area permitted by the base zoning district, whichever results in the largest lot, however, no lot shall exceed five (5) acres in size.
Permit cluster-lot developments within floodplain areas.	Prohibit cluster-lot developments.	Prohibit cluster-lot developments.
No exceptions to floodplain/floodway standards.	No change.	Permit exceptions to standards if a PUD is submitted to the Planning Commission and approved by the Metro Council; but prohibit transfer of density from floodplain in excess of 1 du/30,000 SF lot or minimum zoning lot size if larger.

OPTIONS *Option A*

Adopt "As Is". If the Commission were to recommend approval of the bill "as is", the amendments would not be administratively workable in their present form. In addition, the bill as drafted appears to have some unintended consequences.

- It appears to increase density in the AR2a, AG, and R/RS80 districts by requiring a minimum lot size of 1 acre; however, these districts require a 1.8-acre, 2-acre or 5-acre minimum lot size, respectively.
- It appears to decrease density in the R/RS40 district by requiring a 1-acre minimum lot size where only 40,000 square feet is required presently.
- It appears to modify two-family dwellings in the AG and AR2a districts by permitting them by right; currently, they are permitted with conditions (PC).
- It may potentially decrease Metro's future efforts to complete the greenway network. Developers who voluntarily select the cluster-lot option that allows transfer of density off of the floodplain often record either a dedication of land, or an easement on their property, for greenway purposes.
- It does not modify Section 17.36.060 concerning PUDs. Without modifying it, cluster-lot PUDs would be permitted for floodplain properties since where a conflict in standards



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exists between the PUD provisions and other sections of the Zoning Code, the PUD provisions prevail.

Option B

Community Input. The Commission may want to suggest the sponsor hold some community meetings concerning the bill with developer stakeholders, affected property owners, affected councilmembers, and neighborhood groups to receive feedback on it. Community outreach helps identify issues that need further analysis.

Option C

Substitute Bill. The Commission may want to consider a draft substitute bill which the sponsor provided staff. This substitute bill addresses most issues raised in Option A above. Given the original bill caption limited changes to Section 17.28.040, a second draft bill was submitted by the sponsor to staff to address the housekeeping items related to clarification and cross-referencing. See attached bills.

Option D

Combination. The Commission may want to combine one or more of the options above in its recommendation to the Metro Council.

Staff Recommendation

Disapproval. The proposed council bill, Option A, does not adequately address the various Zoning Code sections that pertain to the review and approval of development within the floodway/floodplain. In its present form, the proposed amendments are not administratively workable. Further, while the substitute bill addresses the concerns raised in our analysis, substantive issues resulting in unintended consequences may not be known absent community input.

Recommend Option B, Community Input. Pending additional community discussion, staff may be able to recommend approval of a substitute bill that addresses floodplain development concerns.



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

Zone Change 2004Z-012T
None
BL2004-243
5 - Murray
5 - Hunt
Councilmember Pam Murray

Staff Reviewer
Staff Recommendation

Leeman
Disapprove

APPLICANT REQUEST

Cancel the Urban Zoning Overlay (UZO) from all of the 5th Council District (1,851 acres). The 5th Council District is generally located between the Cumberland River on the southwest side and Gallatin Pike on the northeast side, including all properties between I-65 and Gallatin Pike.

Zoning
Urban Zoning Overlay

The UZO is a zoning classification that permits different standards than the conventional zoning districts, relating to parking, landscaping, setbacks, and certain building sizes.

The purpose of the UZO is to protect existing development patterns that predate the mid 1950's and ensure the compatibility of new development in the older parts of the city. Generally, the UZO covers the old City of Nashville city limits. Without the UZO there could be 1950's buildings that will be non-conforming in some areas with the current Zoning Ordinance requirements. These buildings may be non-compliant in setback, height, or parking requirements. Without the UZO, variance from the Board of Zoning Appeals may be required to restore damaged or destroyed buildings that are non-conforming.

The UZO became effective in December 2000 and was most recently amended by BL2004-221, which was adopted on final reading by the Council on June 15, 2004. It includes 4,925 parcels in Council District 5, comprising a total of 1,850 acres. If the UZO is cancelled on the proposed parcels, the existing base zoning, or PUD overlay, will govern what can be done with each property.

Why was the UZO created?

The UZO district was created to improve the way development in the older urban areas of Nashville is



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UZO Activity in 5th Council District

regulated. Most of the development in the UZO area was built before World War II. Prior to the adoption of the UZO, the Zoning Code was designed for a newer, suburban environment with a different “development pattern.” For example, in the UZO area, commercial buildings are often built right up to the edge of the sidewalk. In the suburbs, they are further back from the street. Lots in the UZO area are generally smaller than they are in the suburbs, and buildings are usually closer together. Many neighborhoods in the UZO area have alleys, with garages behind houses instead of attached to them. The zoning for the UZO area does not always fit this development pattern. This mismatch caused problems for property owners prior to the adoption of the UZO. For example, when the 1998, tornado damaged older parts of the city, many property owners had to get special permission to replace buildings in the same places they had always been.

From the inception of the UZO in December 2000, through April 19, 2004, the following activity has occurred in the UZO in Council District 5:

- 37 permits approved and issued
- 2 variances requested
- 1 variance request denied
- 1 variance request withdrawn

Staff recommends disapproval of this Council bill because the UZO serves to allow the older parts of the city to develop in a consistent manner with the past, ensuring that the character of the neighborhoods is maintained.



Project No.
Associated Case
Council Bill
Council District
Requested by

Zoning Text Change 2004Z-013T
None
BL2004-290
Countywide
Councilmembers Hausser and Bradley

Staff Reviewer
Staff Recommendation

Regen
Approve.

APPLICANT REQUEST

Amend Zoning Code to permit all multi-family developments in any zoning district to have no maximum floor area ratio (FAR) apply.

ANALYSIS

Existing Law

The “Floor Area Ratio” (FAR) determines the amount of floor space a building is permitted to have in relation to the size of the lot on which it is located. Currently, the bulk standards of the Zoning Code do not limit the FAR for multi-family developments in office, commercial, mixed-use, or high density RM districts such as RM15, RM20, RM40, and RM60. A specific note, Note 2, was added to Table 17.12.020.B in May 2001 (2000Z-033T; BL2000-560). Staff recommended that modification in response to a PUD plan where the density was appropriate, but the FAR prevented a developer from achieving the maximum multi-family density permitted by the base zoning. At that time, only the higher density RM districts were exempted from the FAR standard.

Proposed Text Change

This bill extends that FAR exemption to multi-family developments located in any zoning district. It does so by modifying Note 2 to Table 17.12.020.B to read: “No maximum FAR applies to multifamily developments.” In addition, this exemption would apply retroactively to any previously approved PUD plan or building permit issued, where the FAR constrained a multi-family development.

Staff Recommendation

Approve. The typical concern with multi-family as with any multi-story development, including large single-family homes, is not the size of the unit or dwelling, but the structure’s building mass in



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relationship to adjoining properties. Since the other bulk standards in the Zoning Code will continue to regulate a structure's mass (e.g. setbacks, impervious surface ratio (ISR), maximum building height, and number of units per acre), removing the FAR limitation is appropriate.



Project No.
Associated Case
Council Bill
Council District
Requested by

Zoning Text Change 2004Z-014T
None
BL2004-288
Countywide
Councilmember’s Gilmore, Loring, Tucker and Whitmore

Staff Reviewer
Staff Recommendation

Regen
Approve.

APPLICANT REQUEST

Amend Zoning Code to create and define a new land use, “Public Facility.” This new land use would permit Metro Government to convert and reuse buildings and structures in residential areas for other purposes.

ANALYSIS

Existing Law

Currently, Metro agencies find it increasingly difficult to reuse existing Metro buildings and structures for other purposes. Two situations initiated this text amendment change. The first was Metro Schools’ need to reuse former school campuses for educational training, tutoring, counseling, and offices. School officials were hamstrung in readily reusing these facilities by being required to seek approval of a special exception from the Board of Zoning Appeals (BZA). The second situation was the Metro Historical Commission’s relocation to the historic Sunnyside mansion in Sevier Park. As residential zoning districts prohibit office uses, the commission cannot obtain a permanent use and occupancy permit for this creative reuse of this magnificent Davidson County historical landmark.

Proposed Text Change

This bill would permit Metro Government to convert these existing buildings and structures to other purposes without BZA approval, provided the proposed uses were equal to, or less intense, than previously existed on the property. Further, no expansion of the existing buildings, structures, or areas could be proposed. And lastly, no outdoor storage is permitted. In the event Metro Government wants to do a more intense use, make an addition, enlarge an area, etc., then it would be required to apply for a special exception



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(SE) for BZA approval. Below is the proposed text amendment language.

- By amending Section 17.04.060 (Definitions of General Terms) to **add** "Public Facility" in alphabetical order as follows:

"Public Facility" means an existing facility or structure owned by the Metropolitan Nashville and Davidson County Government in which the metropolitan government administers and provides facilities, activities, services, or support for the benefit of neighborhoods, residents, businesses, and the larger community in which they are located including, but not limited to, administrative offices, counseling, supplemental education and instruction, health care, indoor storage of non-flammable items, and training.

- By amending Section 17.08.030 (District land use tables: Institutional Uses) by **adding** "Public Facility" as follows:

	AG and AR2a	RS80 through RS 3.75	R80 through R6	RM2 through RM20	RM40 through RM60	M H P	M U N	M U L	M U G	M U I	O N	O L	O G	OR 20 and OR 40	O R	C N	C L	C S	C A	C F	C C	S C	S C	S C	I R	I D	I R	I G	
Institutional Uses:																													
Public Facility	PC ¹	PC ¹	PC ¹	PC ¹	PC ¹	PC ¹	PC ¹	PC ¹	P	P	PC ¹	PC ¹	P	PC ¹	P	PC ¹	P	P	P	P	P	P	P	P	P	P	P	P	P

- By amending Section 17.08.030 (District land use tables: Institutional Uses) by **adding** as a footnote to the bottom of the table "Note 1" for "Public Facility" as follows:

Note 1: Any proposed addition or expansion shall be reviewed as a special exception (SE) as per Section 17.16.035.D.3.

- By amending Section 17.16.035 (Uses Permitted With Conditions: Institutional Uses) by **adding** "Public Facility" as follows:

D. Public Facility

- Location. The use of an existing facility or structure owned by the Metropolitan Nashville and Davidson County Government is permitted provided there is no adverse effect on the surrounding neighborhood due to noise, light, glare, operating hours, parking, traffic, trash, removal of trees and landscaping, refuse removal, location of vehicles and storage, or dust, as determined by the Zoning Administrator.
- Intensity of Use. The Zoning Administrator shall make a determination based on information contained in the application, or any supplemental information requested after review of the application, on whether the proposed use is a more intensive use than any previously existing on the property. Should it be determined the proposed use is more intensive, then the application shall be reviewed by the Board of Zoning Appeals as a special exception, in accordance with Sections 17.16.140 and 17.16.150 of this Title.



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3. Addition or Expansion. Any proposed addition or expansion of the existing buildings, structures, facilities, or area, regardless of whether the use is more intensive than any previously existing on the property, shall be reviewed by the Board of Zoning Appeals as a special exception, in accordance with Sections 17.16.140 and 17.16.150 of this Title.

- By amending Section 17.16.140 (Uses Permitted by Special Exception (SE): Applicability) by **adding** the following sentence to the end of the paragraph:

A public facility use which proposes an addition or expansion as per Section 17.16.035.D.3 may expand under the authority of the board subject to demonstrating compliance with Sections 17.16.035.D.1 and 17.16.150.

Staff Recommendation

Approve. The proposed council bill serves a public policy goal of efficiently using tax dollars by reusing government property. Neighborhoods are protected since any more intense uses of the property would require a Special Exception to be approved by the BZA. All Special Exception uses require a BZA public hearing, and therefore, public notices would be mailed to surrounding property owners and neighborhood groups, a notice would be placed in the newspaper, and signs would be posted on the property.

Planning staff has coordinated the review of this bill with Metro Schools, Parks, Historical Commission, Codes, and the Neighborhood Resource Center, and Neighborhood Alliance. All support this bill as drafted.



**Project No.
Project Name**

**Zoning Text Change 2004Z-015T
Revision of Zoning Code Sidewalks
Provisions**

**Council Bill
Requested By
Deferral**

BL2004-289
Councilmember At-large Adam Dread

**Staff Reviewer
Staff Recommendation**

Kleinfelter
Disapprove

APPLICANT REQUEST

Amend Zoning Code to reduce the situations in which sidewalks are required to be constructed when property is redeveloped.

APPLICATION DETAILS

This bill states that the Council “finds it necessary and in the public interest to establish reasonable criteria for the most cost-effective provision of sidewalks within the public right-of-way in the areas of greatest need in Nashville and Davidson County.” The bill proposes to change several provisions in the Code that currently require a developer of property to install sidewalks for most developments on arterial or collector roadways. If adopted, this bill would result in a significant disparity between the requirements for sidewalks contained in the Zoning Code and the Metro Subdivision Regulations, which cannot be amended by the Council.

Current Code

The Metro Code currently requires the developer of a multifamily or nonresidential project to install sidewalks along any collector or arterial street that fronts the property. Sidewalks also must be installed on other streets fronting the property if a sidewalk already exists on adjacent property or within the same block of the street. If sidewalks already exist, then the developer must ensure that those sidewalks are brought into compliance with Metro’s sidewalk standards, which comply with the Federal standards under the Americans with Disabilities Act (ADA).

Sidewalks are not required if the value of the project is less than 25% of the value of the overall property, or if the value of multiple projects over a 5-year period is less than 50% of the value of the property. The Board of Zoning Appeals also can grant a property owner a variance from the sidewalk provisions if the state law requirements for a variance are met.



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Analysis of Proposed Code Changes

1. Two new exemptions are proposed. First, sidewalks would not be required if the square footage of any one expansion does not exceed 25%, or the total square footage of all expansions over a 5-year period does not exceed 50% of the pre-existing total building square footage. **This change would not appear to have a significant effect on sidewalk requirements.**

The second proposed exemption would relieve a developer of the ordinary sidewalk requirements if the project is located outside the Urban Services District and the area within one mile of the property is developed at an average density of less than or equal to three dwelling units per acre. **The need for sidewalks cannot adequately be determined simply by reference to the existing average residential density in the area. Sidewalks are appropriate for a commercial development that is adjacent to a low-density residential neighborhood in order to provide the residents of the area with pedestrian access to the commercial development. Further, some areas that currently have lower density residential development may be in a process of changing to higher concentrations of residential or commercial development. The Green Hills area, for example, at one time would have qualified for this proposed exemption from the sidewalk requirements. This proposed exemption may result in an increased cost to taxpayers as areas are later retrofitted with sidewalks to accommodate the impact of the new development that was, itself, exempted from the sidewalk requirements.**

2. The bill would delete the current provisions of the Code that describe the locations in which sidewalks must be constructed and replace it with a new set of criteria. First, the bill sets out a requirement governing the recording of final plats after an exemption to the sidewalk requirements has been granted by the Zoning Administrator, the Board of Zoning Appeals, or the Planning Commission. The bill further requires that the Commission must release any performance bond and security. **This portion of the bill violates Tennessee law. Under Tennessee law, the authority to approve subdivisions, including the bonding of public infrastructure related to those subdivisions, rests solely with the Planning Commission. The Metro**



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Council does not have the authority to change the requirements for recording plats or the release of bonds.

3. The bill sets out four new “exceptions” that the Zoning Administrator “shall grant” if certain physical conditions are found to exist. An applicant would be permitted to appeal any refusal to grant these exemptions to the Board of Zoning Appeals. These exceptions are similar to provisions currently included in the Subdivision Regulations, except with two major distinctions. First, the Subdivision Regulation exceptions are discretionary in nature. The Regulations state that the Commission “may” grant relief pursuant to the “in lieu” fee provisions if the conditions described by the exceptions are found to exist. The proposed bill mandates that the Zoning Administrator must grant an exception if the stated conditions are found to exist. Second, the Subdivision Regulation exceptions are tied directly to the in lieu fee provisions in the regulations, which cannot be put into effect because no financial mechanism has been adopted to implement them.
 - a. Drainage ditches – When a drainage ditch is present along the existing street and installation of a sidewalk would require the installation of stormwater facilities to accommodate the new sidewalk. **Drainage ditches exist along a very high percentage of the existing streets in Metro that do not currently have sidewalks. The majority of new sidewalk installations require the installation of stormwater facilities. Staff estimates that this provision in the bill would, on its own, result in almost no sidewalks being required with multifamily and nonresidential development in the future.**
 - b. Cross-slopes – When the sidewalk and landscape strip cross-section areas are located on land with a cross-slope greater than 9%, and Public Works certifies that construction of sidewalks on both sides of the street would create a hazardous condition or is impracticable. **The developer of a project is required to grade the areas reserved for the sidewalk and landscape strip at the same time as new streets, or required expansions to existing streets are graded. It is unclear whether the intent of this provision is for**



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Public Works to determine the constructability based on the conditions prior to the development or after all appropriate grading has been constructed.

c. Developed with sidewalks on one side – When the surrounding area within a 0.25 mile radius is predominantly developed with sidewalks on the opposing side of the street, and no sidewalks exist on the applicant’s side of the street within 0.25 miles.

This proposal may have merit in a limited number of circumstances. In most situations, however, sidewalks must be located on both sides of a street for adequate pedestrian access.

d. When sidewalk installation would be non-contiguous and not from intersection to intersection – **Under this portion of the bill, any development that does not extend for an entire block of the street would not be required to install sidewalks, unless existing sidewalks would fill the span from intersection to intersection. The majority of developments are not “from intersection to intersection,” so this provision also would result in almost no sidewalks being required with multifamily and nonresidential development in the future.**

4. The bill proposes an “in lieu fee” system for projects located where sidewalk construction “is currently programmed by the metropolitan government within an adopted capital improvements budget.” **Projects included in the Capital Improvements Budget may not be completed for many years, if ever. This proposal restates an existing section in the Code, but adds provisions for calculating the amount of the in lieu fee. The calculations proposed, however, may not adequately address all of the costs associated with installing sidewalks in many locations within Davidson County. For example, the bill states that the cost of stormwater facilities necessitated by the sidewalks would not be included in the fee.**
5. Finally, the bill adds a new section to the Metro Code that would attempt to alter the Metropolitan Subdivision Regulations by stating that “[s]idewalks shall not be required on cul-de-sac or dead-end turnaround streets of standard length. **This portion of the bill violates Tennessee law. Under Tennessee**



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Staff Recommendation

law, the authority to approve subdivisions, including the requirements for infrastructure within those subdivisions, rests solely with the Planning Commission. The Metro Council does not have the authority to change the sidewalk requirements contained in the Subdivision Regulations.

The Planning Department recognizes that there is a need to further refine the sidewalk requirements contained in both the Zoning Code and the Subdivision Regulations. For the reasons set out above, staff recommends disapproval of BL2004-289. At the request of the Planning Commission, however, staff has begun to evaluate the current regulations and Code provisions addressing sidewalks. Staff would welcome the opportunity to incorporate the concerns this bill is intended to address in its evaluation and to work with all of Metro's development stakeholders on a proposal to refine the sidewalk requirements in both the Zoning Code and the Subdivision Regulations.



**Project No.
Project Name**

**Zoning Text Change 2004Z-016
Changes to Tree Removal Permit
Requirements**

**Council Bill
Requested By**

BL2004-244
Councilmember Ludy Wallace

**Staff Reviewer
Staff Recommendation**

Kleinfelter
Approve

APPLICANT REQUEST

Amend Zoning Code to require persons engaged in commercial tree service to obtain a tree removal permit and to require applicants for a tree removal permit to submit a plan for disposal.

APPLICATION DETAILS

This Council bill is a companion to another bill introduced by Councilmember Wallace that also addresses permitting requirements for tree removal. The other bill – which has not been referred to the Planning Commission for a recommendation – amends the Urban Forrester section of the Metro Code (Chapter 2.104) to require a permit for removal of all trees, including those on private property. Currently, the Metro Code only requires a permit for removal of “public trees” and for the protection of public utility distribution lines.

BL2004-244 changes two minor provisions in Section 17.40.470 of the Code. First, the bill adds language that extends the tree permit requirements to commercial tree services. If Councilmember Wallace’s companion bill is adopted, then commercial tree services would be required to obtain a tree removal permit before performing any tree trimming or removal. Section 17.40.470 currently applies to “any person” seeking a tree removal permit. This section of the bill does not appear to change the law, but may be intended to clarify that commercial tree services are included within the definition of “any person.”

The bill also adds a provision to Section 17.40.470 that requires each application for a tree removal permit to include a plan for disposal of the tree.

Staff Recommendation

Staff recommends approval of this text change because the requirement for a plan for disposal of trees removed



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from property should help prevent such materials from being left in the public right-of-way and added to the workload for the Metro chipper service, and because the language adding reference to commercial tree services does not appear to have any significant effect.



Project No.	Zone Change 2002Z-085G-12
Associated Case	None
Council Bill	BL2004-286
Council District	31 - Toler
School District	2 - Blue
Requested by	Patricia Shakoor, applicant/owner.
Staff Reviewer	Leeman
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 10.3 acres from agricultural/residential (AR2a) to residential single-family (RS15) district properties at 5961 and 5975 Mt. Pisgah Road, opposite the terminus of Christiansted Lane along the south side of Mt. Pisgah Road.

Proposed 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. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the General Plan. Under the existing AR2a district, 5 lots would be permitted.

Existing Zoning
RS15 district

RS15 district 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. With the proposed RS15 district, a maximum of 25 single-family lots would be permitted.

SUBAREA 12 PLAN

Residential Low Medium -

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 RS15 district is consistent with the Subarea 12 Plan's RLM policy calling for residential development at two to four dwelling units per acre.

RECENT REZONINGS

The Planning Commission previously considered this rezoning request on August 22, 2002, recommending



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“Approval with Conditions”. However, the council bill was never filed for this item. The conditions stated: “If a council bill is filed, it should include the following conditions to be completed or bonded prior to any final subdivision plat recordation: Widen Mt. Pisgah Road to bring it into compliance with Metro standards for a local road (currently 27 feet of pavement) from the eastern frontage of parcel 42 to Edmondson Pike (approximately 2,400 feet).”

TRAFFIC

Public Works Recommendation

“No exceptions taken.”

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units per acre	Total number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	10.3	0.5	5	48	4	5

Typical Uses in Proposed Zoning District: RS15

Land Use (ITE Code)	Acres	Units Per acre	Total Number of lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	10.3	2.47	25	240	19	26

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	Units per acre	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				+192	+ 15	+ 21

METRO SCHOOL BOARD REPORT

Projected student generation for RM15

3 Elementary 2 Middle 2 High

Schools Over/Under Capacity

Students would attend Shayne Elementary School, Oliver Middle School, or Overton High School. Overton High School has been identified as being over capacity by the Metro School Board. There is capacity at a high school in an adjacent cluster. This information is based upon data from the school board last updated January 16, 2004.

Planned School Capital Improvements

Location	Project	Projected Date
Overton High	ADA Compliance	FY03-04



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

Zone Change 2004Z-048U-03
None
BL2004-284
2 – Isabel
1 – Thompson
Gene Watkins, American Affordable Homes, LP,
applicant/owner

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 8.26 acres from commercial limited (CL) to mixed use limited (MUL) district at 230 West Trinity Lane, west of I-65.

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
MUL district

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

**BORDEAUX WHITES CREEK
PLAN POLICY**

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 MUL district is consistent with the CMC policy. It is also consistent with surrounding zoning districts in that it allows for retail uses. A site plan was submitted and reviewed by staff because of its proximity to I-65 and relevance to surrounding uses. This plan incorporates residential and retail uses and is consistent with the policy.

RECENT REZONINGS

Parcels to the south (143, 144, 147, 395) were disapproved by the Planning Commission for a zone



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change request from RS5 to CS on December 11, 2003.
The bill has been indefinitely deferred by Council.

TRAFFIC METRO PUBLIC WORKS' RECOMMENDATION

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

Typical Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	8.26	0.184	66,204	--	68	249

Typical Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	8.26	0.047	16,919		45	98

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

Land Use (ITE Code)	Acres	--	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	--	-23	-151

Maximum Uses in Existing Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	8.26	0.6	215,883	--	222	809

Maximum Uses in Proposed Zoning District: MUL

Land Use (ITE Code)	Acres	FAR	Total Floor Area	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	8.26	1.0	359,805		371	1350

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
--	--	--	--	--	+149	+541



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METRO SCHOOL BOARD REPORT

Projected student generation*

44 Elementary 16 Middle 28 High

Schools Over/Under Capacity

Students would attend Alex Green Elementary School, Ewing Park Middle School, or Whites Creek High School. Alex Green and Ewing Park have been identified as being over capacity by the Metro School Board. There is capacity at an elementary and middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.

*The numbers for MUL zoning are based upon students that would be generated if the MUL zoning were to develop as residential instead of office and commercial. This also assumes each multi-family unit has 1,200 sq.ft. of floor area.

Planned School Capital Improvements

Location	Project	Projected Date
Alex Green Elementary School	Renovations	FY05-06



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**Items # 13
14, 15, 16**

Project No.

**Zone Change 2004Z-062U-10
Zone Change 2004Z-071U-09
Zone Change 2004Z-072U-08
Zone Change 2004Z-073U-05**

**Associated Case
Council Bill**

None
BL2004-280

Council Districts

19 – Wallace
25 – Shulman
5 – Murray
18 – Hausser

School Districts

7 – Kindall
8 – Harkey
5 – Hunt

Requested by

Metro Historical Commission, applicant

**Staff Reviewer
Staff Recommendation**

Harris
Approve

APPLICANT REQUEST

To apply the Historic Landmark Overlay District to the West End Middle School, Hume Fogg Magnet School, Martin Luther King, Jr. Magnet School, and East Literature Magnet Schools.

Existing Zoning

R20 district (West End)

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

CF district (Hume Fogg)

Core Frame is intended for a wide range of parking and commercial service support uses for the central business district.

CS/OR20 districts (Martin Luther King)

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.

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



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R6/CS districts (East Literature)

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.

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.

SUBAREA PLAN POLICIES

Major Public Open Space (MPOS)
(West End Middle School)

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

Central Business District (CBD)
(Hume Fogg Magnet School)

CBD policy is intended specifically for the heart of the downtown area and the surrounding area that contains supporting uses. The CBD constitutes the single largest concentration of non-residential development in the city. Offices are the predominant type of development, also some retail, entertainment, community facilities, government services, and higher density residential.

Civic or Public Benefit in Open Space
(Martin Luther King, Jr. Magnet School)

This policy includes various public facilities including schools, libraries, and public service uses. Open Space is reserved for active and passive recreation, as well as buildings that support such open space.

Residential Medium (RM)/ Commercial
Arterial Existing (CAE)
(East Literature Magnet)

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.



Metro Planning Commission Meeting of 6/24/04

Policy Conflict

CAE policy is intended to recognize existing areas of “strip commercial” which is characterized by commercial uses that are situated in a linear pattern along arterial streets between major intersections. The predominant uses include retail and office activities such as eating establishments, automobile sales, rental, and service, hotels and motels, and consumer services.

No. The Historic Landmark Overlay Districts are consistent with all the policies. These schools were taken into consideration when the policies were established for the respective areas.

The Metro Historic Zoning Commission (MHZC) recommended approval of these districts on June 16, 2004. Each school was found to be “historically significant” and are all listed individually on the National Register of Historic Places. The MHZC adopted design guidelines to protect the proposed historic landmark districts “from alterations that would lessen their architectural significance, new construction or additions not in character with the landmark area or structure, and from the loss of architectural, archaeological, or historically important structures or sites.”

RECENT REZONINGS

None.

TRAFFIC

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

METRO SCHOOL BOARD REPORT

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



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

Zone Change 2004Z-074U-05
None
None
8 – Hart
5 – Hunt
Shemika A. Davis, applicant/owner

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 0.69 acres from residential single-family (RS15) to mixed use neighborhood (MUN) district at 314 Broadmoor Drive.

Existing 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.

Proposed Zoning
MUN district

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

SUBAREA 5 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.

Policy Conflict

Yes. The proposed MUN district is not consistent with the RM policy intended for residential development within a density range of four to nine dwelling units per acre. MUN allows for retail and/or office uses that are not consistent with the residential policy or the existing residential development in the area. There are no commercially zoned properties in this area currently.

RECENT REZONINGS

None.



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TRAFFIC

An access study will be required at the development stage.

Typical Uses in Existing Zoning District: RS15

Land Use (ITE Code)	Acres	Density	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	0.69	2.47	2	20	2	2

Typical Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	0.69	0.30	9,016	400	N/A	25

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				+380	--	+23

Maximum Uses in Existing Zoning District: RS15

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)	0.69	2.47	2	20	2	2

Maximum Uses in Proposed Zoning District: MUN

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.69	0.6	18,033	199	28	27

Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				179	26	25

METRO SCHOOL BOARD REPORT

Projected student generation*

5 Elementary 4 Middle 3 High

Schools Over/Under Capacity

Students would attend Hattie Cotton Elementary School, Gra-Mar Middle School, or Maplewood High



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Fiscal Liability

School. Hattie Cotton and Gra-Mar have been identified as being over capacity by the Metro School Board. There is capacity at an elementary school within the cluster. There is not capacity at a middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.

The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$52,000 for additional school capacity in this cluster. A new middle school is presently programmed in the 10 year school capital plan. This estimate is based on maintaining current school zone boundaries.

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

Planned School Capital Improvements

Location	Project	Projected Date
Hattie Cotton Elementary School	Renovations	FY07-08
Maplewood High School	Renovations	FY05-06



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

Zone Change 2004Z-076G-03
None
None
3 – Hughes
3 – Garrett
Ralph Monroe, Angel City Development Corporation,
applicant for William J. Berg, trustee

Staff Reviewer
Staff Recommendation

Harris
Disapprove

APPLICANT REQUEST

Rezone 48 acres from residential single-family (RS20) to residential single-family (RS10) district at 3512 Knight Drive.

Existing Zoning
RS20 district

RS20 requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre. This would permit a maximum of 88 dwelling units on this site currently.

Proposed Zoning
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. This would permit a maximum of 177 dwelling units on this site.

**BORDEAUX WHITES CREEK
PLAN POLICY**

Residential Low Medium (RLM)

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

Policy Conflict

Yes. The proposed RS10 district is not consistent with the RLM policy in this area. Typically, the RLM policy allows for two to four dwelling units per acre, but the Community Plan for this Subarea includes a special policy that affects this property.

Special RLM Policy

The newly adopted Bordeaux-Whites Creek community plan includes a special policy in recommending that the maximum density in this area be limited to two



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dwelling units per acre due to the steep slopes in the area.

RECENT REZONINGS

None.

TRAFFIC

Public Works Recommendation

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

Typical Uses in Existing Zoning District: RS20

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-family detached (210)	48	1.85	89	852	67	90

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	48	3.7	178	1703	134	180

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

Land Use (ITE Code)	Acres	--	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
		+1.85	+89	+851	+ 67	+90

METRO SCHOOL BOARD REPORT

Projected student generation

30 Elementary 17 Middle 19 High

Schools Over/Under Capacity

Students would attend Alex Green Elementary School, Ewing Park Middle School, or Whites Creek High School. Ewing Park has been identified as being over capacity by the Metro School Board. There is capacity at a middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.



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

Zone Change 2004Z-079G-04
None
None
10 – Ryman
3 – Garrett
Gresham Smith and Partners, applicant for Iva Jewell Williams, Robert Perry and Ginger Morris, David K. Adams

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 3.27 acres from residential (R10) to commercial service (CS) district at 122, 126, and 132 Liberty Lane, south of Vietnam Veterans Blvd. south.

Existing 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. The R10 district would allow approximately 15 dwelling units total on this site.

Proposed Zoning
CS district

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

SUBAREA 4 PLAN POLICY
Retail Concentration Super Community (RCS)

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

Policy Conflict

No. The proposed CS district is consistent with the RCS policy. The proposed zoning is also consistent



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with the surrounding zoning pattern, which is predominantly zoned CS on the south side of Vietnam Veterans Boulevard.

RECENT REZONINGS

2004Z-086G-04 is to the north of this property which is also on this agenda for a request from R10 to RS10.

TRAFFIC

With the submittal of final development plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations. A TIS scoping meeting was held May 12, 2004.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	3.27	3.7	12	15	9	12

Typical Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Specialty Retail Center (814)	3.27	0.299	42,590	1888	N/A	116

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
--	--			+1873	---	+ 104

-

Maximum Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	3.27	3.7	12	15	9	12

Maximum Uses in Proposed Zoning District: CS

Land Use (ITE Code)	Acres	FAR	Total	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	3.27	0.60	85.465	3669	88	321

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
--				+3654	+79	+309



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

Zone Change 2004Z-081U-08
None
None
21 – Whitmore
7 – Kindall
Charles R. Jones, American Business Funding, Inc.,
applicant for Southern Business Insurance Group, Inc.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 1.11 acres from industrial restrictive (IR) to mixed use general (MUG) district at 600 21st Avenue North, west of Warner Street.

Existing Zoning
IR district

Industrial Restrictive is intended for a wide range of light manufacturing uses at moderate intensities within enclosed structures.

Proposed Zoning
MUG district

Mixed Use General is intended for a moderately high intensity mixture of residential, retail, and office uses.

SUBAREA 8 PLAN POLICY

WATKINS PARK DETAILED NEIGHBORHOOD DESIGN PLAN

Mixed Use in Neighborhood Urban (MU in NU)

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.

NU is intended for fairly intense areas that are overall mixed in use and recognizes that the light mixed industrial areas, commercial uses, and residential uses can coexist in the same neighborhoods.

Policy Conflict

The proposed MUG district is consistent with the MU in NU policy in that it allows for residential, commercial, and office uses. The Detailed Neighborhood Design Plan does suggest a street



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connection through this site that would connect 21st, which likely will be a condition of approval for future development on this site. The plan also recognizes a historic site on this property in which the site should be preserved.

RECENT REZONINGS

Parcels 037 and 038 were rezoned from R6 to OR20 in August 2003, by Council. The Planning Commission recommended approval in May 2002. Parcel 048 was rezoned from R6 to OR20 in March 2000, by Council. The Planning Commission recommended approval in January 2000.

TRAFFIC

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

Typical Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Light Industrial ()	1.11	0.561	27,125	190	25	27

Typical Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office ()	1.11	0.184	8,897	98	14	14

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				-92	-11	-13

Maximum Uses in Existing Zoning District: IR

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General light industrial ()	1.11	0.6	29,011	203	27	29

Maximum Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour



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General Office (0)	1.11	3.0	145,055	1598	225	217
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Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
	--			+1395	+198	+188

METRO SCHOOL BOARD REPORT

Projected student generation*

24 Elementary 16 Middle 14 High

Schools Over/Under Capacity

Students would attend Park Avenue Elementary School, Bass Middle School, or Pearl-Cohn High School. Bass has been identified as being over capacity by the Metro School Board. There is capacity at a middle school within the cluster. This information is based upon data from the school board last updated January 16, 2004.

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



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

Zone Change 2004Z-082U-14
None
None
14 – White
4 – Nevill
Ron Nemetz, R. Nemetz & Associates, applicant for
Donelson Fitness Holdings, LP

Staff Reviewer
Staff Recommendation

Harris
*Approve MUL. The applicant originally requested
MUG and has amended the application to MUL.*

APPLICANT REQUEST

**Rezone 2.40 acres from office/residential (OR20) to
mixed use limited (MUL) district at 3051 Lebanon
Pike, at Medical Drive.**

Existing Zoning
OR20 district

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

Proposed Zoning
MUG district

Mixed Use General is intended for a moderately high
intensity mixture of residential, retail, and office uses.

MUL district

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

SUBAREA 14 PLAN POLICY

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

The applicant originally requested MUG and has
amended the application for MUL. The proposed MUG
district was not consistent with the CMC policy in this
area. The MUG district is too intense for this area in
which the property is surrounded mostly by residential
zoning districts. Although MUG allows for residential
uses, the bulk standards for the MUG zoning district
would be more substantial than the surrounding zoning
districts.



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MUL is more appropriate than the MUG originally requested for this site in that it still allows for a mixture of land uses, but at a smaller scale than the MUG.

RECENT REZONINGS

None.

TRAFFIC

With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations. *The MUL district would decrease the FAR and would decrease the peak hour trips for maximum uses.*

Typical Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.40	0.169	17,668	195	28	27

Typical Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.40	0.198	20,699	21	32	31

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				-174	+4	+4

Maximum Uses in Existing Zoning District: OR20

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.40	0.8	83,635	921	127	125

Maximum Uses in Proposed Zoning District: MUG

Land Use (ITE Code)	Acres	FAR	Total Square footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	2.40	3.0	313,632	3453	477	468

Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				+2532	+350	+343

-



Metro Planning Commission Meeting of 6/24/04

METRO SCHOOL BOARD REPORT

Projected student generation*

11 Elementary 7 Middle 6 High

Schools Over/Under Capacity

Students would attend Hermitage Elementary School, Two Rivers Middle School, or McGavock High School. None of these schools have been identified as being over capacity by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

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

Planned School Capital Improvements

Location	Project	Projected Date
Hermitage Elementary	Renovations	FY03-04
McGavock Cluster-Middle School	Construct a New Middle School	FY08-09
Two Rivers Middle	Renovations	FY06-07



Project No.	Zone Change 2004Z-083G-06
Associated Case	None
Council Bill	None
Council District	23 - Whitson
School Board District	9 – Norris
Requested by	Mary Christine Lewis, applicant/owner
Staff Reviewer	Leeman
Staff Recommendation	<i>Disapprove</i>

APPLICANT REQUEST

Rezone 2.25 acres from residential single-family and duplex (R20) to commercial limited (CL) district property at 548 Old Hickory Boulevard, abutting the west side of Tolbert Road.

Proposed Zoning
R20 district

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

Existing Zoning
CL district

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

BELLEVUE COMMUNITY PLAN

Residential Low Medium -

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

Policy Conflict

Yes. The proposed CL district is not consistent with the Bellevue Community Plan’s RLM policy calling for residential development at two to four dwelling units per acre. Although there is commercially zoned property to the north of this property, the existing CL districts fall within Commercial Mixed Concentration land use policy, which supports commercial zoning. Since many of the existing commercial properties to the north are not yet commercially developed, rezoning properties in a residential policy area to commercial in a non-contiguous manner is not recommended.

RECENT REZONINGS

None.



Metro Planning Commission Meeting of 6/24/04

TRAFFIC Public Works Recommendation

“An access study may be required at development.”

Typical Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	2.25	1.85	4	38	3	4

Typical Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Square Footage	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	2.25	0.165	16,172	695	17	61

Change in traffic between Typical Uses in existing and proposed zone

Land Use (ITE Code)	Acres		--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				+657	+14	+57

Maximum Uses in Existing Zoning District: R20

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	2.25	1.85	4	38	3	4

Maximum Uses in Proposed Zoning District: CL

Land Use (ITE Code)	Acres	FAR	Total Sq. Ft.	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Shopping Center (820)	2.25	0.6	58,806	2526	61	221

Change in traffic between Maximum Uses in existing and proposed zone

Land Use (ITE Code)	Acres	FAR		Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
				+2488	+58	+217



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

Zone Change 2004Z-086G-04
None
None
10 – Ryman
3 – Garrett
Joe McConnell, MEC, Inc., for Jack Nixon and Austin M. Writesman, owners.

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 19.39 acres from residential (R10) to residential single-family (RS10) district at Liberty Lane (unnumbered) and Peeples Court (unnumbered).

Existing 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. The R10 zoning would permit 89 units total on these properties.

Proposed Zoning
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 zoning would permit 71 units on these properties.

SUBAREA 4 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 RS10 district is consistent with the RLM policy intended for residential development with a density range of two to four dwelling units per acre. The RS10 decreases the density and is consistent with the existing zoning in the area in that it allows for 10,000 square foot lot sizes.

RECENT REZONINGS

2004Z-079G-04 is to the south and is on this agenda for a rezoning from R10 to CS.



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TRAFFIC

No Exception Taken.

Typical Uses in Existing Zoning District: R10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	19.39	3.7	72	689	54	73

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	19.39	3.7	72	689	54	73

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	0	0

METRO SCHOOL BOARD REPORT

**Projected student generation
For existing and proposed zoning**

12 Elementary 9 Middle 7 High
Students would attend Goodlettsville Elementary School, Goodlettsville Middle School, or Hunters Lane High School.

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

Planned School Capital Improvements

Location	Project	Projected Date
Goodlettsville Middle School	Renovations	FY04-05



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

Zone Change 2004Z-088G-12
None
None
31 – Toler
2 – Blue
Bryant L. Grantham, applicant for Douglas Glen
Tommie, owner

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

Rezone 19.33 acres from agricultural residential (AR2a) to residential single-family (RS10) district at 1160 Barnes Road, east of Barnes Dove Drive.

Existing Zoning
AR2a district

Agricultural/residential requires a minimum lot size of 2 acres and is intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. The AR2a district is intended to implement the natural conservation or interim nonurban land use policies of the general plan. The AR2a zoning would permit 10 dwelling units on this property.

Proposed Zoning
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. The RS10 zoning would permit 72 lots on this property.

SUBAREA 12 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 RS10 district is consistent with the RLM policy intended for residential development with a density range of two to four dwelling units per acre. The RS10 is also consistent with the surrounding zoning pattern in the area.



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RECENT REZONINGS

Parcels 124 and 158 were rezoned in March 2004 by Council and the Planning Commission recommended approval in December 2003. Parcel 101 was also rezoned in May 2003, by Council. The Planning Commission recommended approval in February 2003. Finally, parcel 059 was rezoned in August 2001 by Council and the Planning Commission recommended approval in May 2001.

TRAFFIC

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

Typical Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	19.33	0.5	10	96	8	11

Typical Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units Per Acre	Total Number of Lots	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single Family Detached (210)	19.33	3.7	72	689	54	73

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
--	--			+593	+46	+62



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METRO SCHOOL BOARD REPORT

Projected student generation Schools Over/Under Capacity

14 Elementary 10 Middle 8 High

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

Fiscal Liability

The Metro School Board reports that due to the overcrowded condition of the school(s) impacted by this proposed rezoning and the lack of capacity of other middle schools within the cluster, approval of the rezoning and the development permitted by the rezoning will generate a capital need liability of approximately \$130,000 for additional school capacity in this cluster. A new middle school is presently programmed in the 10-year school capital plan. This estimate is based on maintaining current school zone boundaries.

Planned School Capital Improvements

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



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

Subdivision 2003S-238G-12
Highland Creek, Section 6
None
31 - Toler
2 – Blue
Holt Valley, LLC, developer, and Anderson-Delk & Associates, Engineer.
Deferred from 10/09/03 Commission Meeting

Deferral

Staff Reviewer
Staff Recommendation

Fuller
Disapprove based on the proposed intersection being too close to Nolensville Pike, creating an unsafe intersection.

APPLICANT REQUEST
Preliminary Plat

Subdivide 2.97 acres into 11 single-family lots along the west side of Nolensville Pike, approximately 1,250 feet north of Hills Chapel Road.

ZONING
RS10 District

RS10 district, requiring a minimum lot size of 10,000 square feet and intended for single family dwellings at an overall density of 3.7 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 RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots).

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 26,136 square feet (20%) of open space.

SUBDIVISION DETAILS

This property abuts an approved but unbuilt subdivision to the south, Brookview Forest. This proposal will revise the open space of that subdivision and will place the project entrance directly abutting the intersection of Nolensville Road and the proposed entrance road of Brookview Forest. The applicant has indicated that a connection to the north is not possible since the school to the north is already under construction, and a connection to the interior to the Brookview Forest plan is not possible since that developer has previously approved plans that do not include a connection.



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The proposed intersection ties into the entrance road to Brookview Forest in an attempt to minimize the number of road and driveway cuts along this portion of Nolensville Pike. Although other connection possibilities may not be available at this time, staff recommends disapproval since this proposal creates an unsafe and awkward intersection.

PUBLIC WORKS RECOMMENDATION

All preliminary plats are subject to Public Works' review and approval of construction plans.

The proposed street intersection is too close to the intersection with Nolensville Pike. Considering the required right-of-way reservation per the MSP the intersection is within 6-7 feet of the right-of-way. A different access design should be considered.

CONDITIONS (If approved)

1. Sidewalks are required on Nolensville Road.
2. The existing ROW of all existing and proposed streets needs to be added to the plat.
3. Prior to final plat approval signatures must be obtained from the adjacent property owner (Map 180, Parcel 8) granting approval of the road location.



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

Subdivision 2004S-182G-13
Painter Property Subdivision
None
33 - Bradley
6 – Dr. Mebenin Awipi
Global Development, Inc., developer, and MEC, Inc. Engineer.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions

APPLICANT REQUEST
Preliminary Plat

Subdivide 32.47 acres into a 82 lot single-family cluster subdivision, and 3 large parcels that are not part of the cluster lot subdivision, located along the north side of Hamilton Church Road and the east side of Mt.View Road.

ZONING
RS10 District

RS10 district, requiring a minimum lot size of 10,000 square feet and intended for single-family dwellings at an overall density of 3.7 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 RS10 (minimum 10,000 sq. ft. lots) to RS5 (minimum 5,000 sq. ft. lots). There is no increase in the number of lots allowed, however.

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant complies with this requirement by proposing a total of 9.69 acres (39%) of open space within the portion designated for the cluster lot subdivision. The remaining three lots meet the base zoning requirement for lot size.

SUBDIVISION DETAILS

The three parcels include the site of a future church, and two existing home sites.

The applicant has set aside a greenway easement in compliance with the Antioch-Priest Lake Community Plan. This will provide an interconnected greenspace system for the larger community.

This development is part of the 375.52 acre “Windhaven Shores” rezoning in the Antioch area from



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School Site Dedication

the summer of 2002 (ORDINANCE NO. BL2002-1148 and 2002Z-071G-13).

The rezoning was conditioned that prior to final plat approval, a school site, in compliance with the standards of Section 17.16.040 for elementary schools with a capacity of 500 students, shall be offered for dedication to the Metro Board of Education, the offer of such school site being proportional to the development's student generation potential. This school is under construction and will open this fall.

PUBLIC WORKS RECOMMENDATION

1. The access road A for the subdivision shall be constructed with 1 entering lane and 2 exiting lanes with 100 ft of storage length and transition per AASHTO standards.
2. Dedicate right-of-way (ROW) along Mt. View Road frontage to provide adequate ROW for a westbound left turn lane at the access road to be constructed by future development. This ROW will allow the extension of and alignment with the left turn lane at the adjacent school access drive.

All preliminary plats are subject to Public Works' review and approval of construction plans.

CONDITIONS

1. All conditions listed in the Public Works recommendations shall be required.
2. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.
3. A revised preliminary plat shall be submitted showing the following:
 - a. A "C" landscape buffer yard needs to be added behind the properties abutting lots 61, 61, 74-79.
 - b. Sidewalks are required on both sides of the streets in this subdivision and the detail on the preliminary plat needs to be updated to reflect this.



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

Subdivision 2004S-193U-14
Price Subdivision
None
15 - Loring
4 – Kathy Nevill, Vice Chairman
Lloyd M. Price, owner, and Douglas McCormick, surveyor.

Staff Reviewer
Staff Recommendation

Fuller
Approve, including a sidewalk variance

APPLICANT REQUEST
Preliminary Plat

Subdivide one existing 1.3 acre lot into 3 lots, located along the south side of Woodberry Drive, approximately 1/2 mile west of Donelson Pike.

ZONING
RS10 District

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

SUBDIVISION DETAILS

All of the proposed lots pass the comparability requirements for 67.4 feet of frontage and 9,398 square feet of area.

SIDEWALK VARIANCE

The applicant has requested a sidewalk variance along Woodberry Drive. The stated reason for the request is that there are currently not sidewalks on Woodberry Drive, the property slopes downhill, and the property has two drainage structures draining into it. The applicant also notes that a retaining wall would be required to build the sidewalk.

PUBLIC WORKS
CONSTRUCTABILITY REPORT

Existing pavement is 21.5 feet in width and in good condition. There is an existing ditch 13 feet from edge of pavement. The ditch is shallow and not well defined. The addition of sidewalk and curb and gutter would also require 2.5 feet of additional roadway. The addition of sidewalks may require that two existing 15-inch drainage pipes be extended, 5 feet or less.

Staff recommends approval of the sidewalk variance. This section of sidewalk, approximately 155 feet in length, will require moderate reconstruction of the roadway with curb and gutter for a relatively short section of sidewalk in a mid-block location, which is inconsistent with good planning and design.



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**PUBLIC WORKS
RECOMMENDATION**

No exception taken.



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

Subdivision 2003S-135G-02
W.E. Scott Subdivision
None
None
3 - Hughes
3 - Garrett
Regency Construction, Ltd., applicant and owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve, with a recommendation to grant a waiver for Lot Resubdivision Comparability since the Subarea 2 Plan calls for development up to 4 units per acre and where the subdivision proposes a density of 1.76 lots per acre.

APPLICANT REQUEST
Preliminary & Final Plat

Subdivide a 2.28-acre tract into a 4-lot subdivision, at a proposed density of 1.76 dwellings units per acre. The property is located along the north side of Lowes Lane and west of Old Dickerson Pike.

ZONING
R20 district

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

SUBAREA 2 POLICY
RL (Residential Low-Medium Density)

This subdivision falls within the Subarea 2 Policy's Residential Low-Medium Density (RLM) policy. The RLM policy was applied to this area because it calls for residential development with densities between or below 2 to 4 dwelling units per acre.

SUBDIVISION DETAILS

The 2.27-acre tract lies along the north margin of Lowes Lane, and just west of Old Dickerson Pike. The plat proposes 4 lots, each 80 feet in width and lot sizes ranging between 23,794 square feet and 27,605 square feet. The plan proposes a density of 1.76 dwelling units per acre.

Resubdivision Lot Comparability

The Metro Subdivision Regulations require that future re-subdivisions undergo a lot comparability analysis to ensure that those re-subdivisions are consistent with the surrounding neighborhood character. In the summer of 2003 the Planning Commission revised to Subdivision Regulations to allow for a Lot Comparability Waiver if



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Sidewalks

certain re-subdivisions meet specific criteria. This particular subdivision request meets one of the criteria to request a waiver. Since the plat proposes a density of 1.76 units/lots per acre, that density is consistent with – and actually slightly lower than – the Subarea 2 Plan’s Residential Low-Medium (RLM) policy for the area. The RLM policy calls for 2 to 4 dwelling units/lots per acre.

Sidewalks are not required for this subdivision plat since the lots are all greater than 20,000 square feet and the property is zoned R20. Sidewalks are not required along new or existing streets where the zone district is 20,000 square feet or larger.

METRO PUBLIC WORKS’ RECOMMENDATION

All comments were adequately addressed by the applicant.



Project No.
Project Name

Subdivision 2003S-170G-02
Dawn Brook Subdivision (formerly Hidden Valley Subdivision)

Associated Cases
Council District
School District
Requested By

None
3 - Hughes
3 - Garrett
Tommy Cunningham, owner, and Burns & Associates, Engineer.

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions, but disapprove sidewalk variance.

APPLICANT REQUEST
Final Plat

Subdivide 4.13 acres into 4 single-family lots along the south side of Campbell Road, approximately 1,000 feet north of Lowes Lane.

ZONING
R20 District

R20 district, requiring a minimum lot size of 20,000 square feet and intended for single family dwellings at an overall density of 2.31 dwelling units per acre including 25% duplex lots.

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 R20 (minimum 20,000 sq. ft. lots) to R10 (minimum 10,000 sq. ft. lots).

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 30,517 square feet (16.9%) of open space.

SUBDIVISION DETAILS

The Hidden Valley Subdivision gained preliminary approval on 3/29/01 and has expired. The applicant chose to bring forward a final plat for this section of the subdivision fronting on an existing road rather than revising the entire project at this time. Stormwater Regulations have changed since the approval of the preliminary in regards to undisturbed stream buffers, providing water quality structures and locating detention ponds in open space. These new requirements have affected the original design of the development. A revised preliminary will be required as new roads are



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Sidewalk Variance

proposed. Campbell Road has approximately 55 feet of right-of-way currently.

Although the property is zoned R20, where sidewalks are typically not required, because the lots are less than 20,000 square feet with the cluster lot subdivision, sidewalks are required along the frontage of Campbell Road.

Staff recommends disapproval of the sidewalk variance request finding that there is no unique hardship.

TRAFFIC PUBLIC WORKS RECOMMENDATION

Joint driveways will be required. Campbell Road will need widening with the future phase of the development, dedicate 150 feet of storage for a left turn lane, plus AASHTO taper, to be constructed with future development.

CONDITIONS

1. Final Approval from Water and Sewer will be received and bond posted, if required, prior to recording of this final plat.
2. All conditions listed in the Public Works recommendations shall be required.
3. A sidewalk, built to Metro standards, shall be required along the frontage of Campbell Road.



Project No.
Project Name

Subdivision 2004S-178G-04
Madison Heights, Section 3, Resubdivision of Lot 4

Associated Cases
Council District
School District
Requested By

None
9 - Forkum
3 - Garrett
Barry Parish, owner and Thornton & Associates, Surveyor.

Staff Reviewer
Staff Recommendation

Fuller
Approve with lot comparability waiver

APPLICANT REQUEST
Final Plat

Subdivide one existing lot on 1.53 acres into 2 single-family, located on the west side of Berwick Trail, 2,200 feet north of Allen Pass and abutting the Cumberland River.

ZONING
RS20 District

RS20 district, requiring a minimum lot size of 20,000 square feet and intended for single family dwellings at an overall density of 1.85 dwelling units per acre.

SUBDIVISION DETAILS

Lot Comparability Waiver

A comparability test was conducted and yielded a minimum lot size 37,207.5 square feet and minimum lot frontage 164 ft. Lot 1 fails for frontage and lot 2 fails both frontage and area. However, this proposal qualifies for a waiver from the regulations because the two lots have a density that fits with the Residential Low Policy of 1 to 2 dwelling units per acre. The density for this proposal is 1.3 units per acre.

Greenway

A greenway conservation easement is not required since the Greenway's Master Plan does not show a greenway on this side of the river. The Subdivision Regulations only require dedications when adjacent to a greenway as shown on the Master Plan.

PUBLIC WORKS
RECOMMENDATION

No exceptions taken.



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

Planned Unit Development 53-84-U-12
Hickory Heights PUD, Section 2, Phase 1
None
None
31 – Toler
2 - Blue
Dale & Associates, applicant, for Affordable Housing Resources, Inc., owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions

APPLICANT REQUEST
Final PUD

A request for final PUD plan approval to develop 36 townhomes on a portion of the residential PUD located on the west margin of Swiss Avenue, south of Old Hickory Boulevard.

Existing Zoning
RM15 district/Residential PUD

This 44.98 acre PUD was approved in 1984, including 1,114 multi-family units. The Planning Commission revised the plan on December 6, 2001, to allow 100 single-family lots and 184 apartment units. The PUD was most recently revised, by the Commission, in July of 2003, by replacing 23 single-family lots with 36 townhomes. The RM15 district is intended for single-family, duplex, and multi-family dwellings at a density of 15 dwelling units per acre.

PLAN DETAILS

The applicant is requesting final PUD approval for a 5-acre portion of the existing PUD plan that was revised last year to permit the development of 36 two-story townhouse units replacing 23 single-family lots. This area is within the Subarea 12 Plan's Residential Medium High (RMH) policy, which calls for 9 to 20 dwelling units per acre.

Plan Design

The PUD plan is designed with eight buildings along Swiss Avenue ending on a temporary cul-de-sac. A future connection to the abutting subdivision is provided at the cul-de-sac. Although the RM15 zoning would allow 75 multi-family units on 5 acres, the applicant is proposing to develop 36 townhome units.



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METRO PUBLIC WORKS' RECOMMENDATION

The proposed 36 units would generate approximately 440 trips per day (Institute of Transportation Engineers, 6th Edition, 1996). Approval with conditions, including the following conditions listed below to be completed by the developer.

Approve with the following conditions. The conditions have been reworded to resolve conflicts in Resolution No. 2003-285.

At Zermatt/ OHB Intersection

1. Prior to the issuance of any use and occupancy permits, construct a separate eastbound right turn lane on OHB at Zermatt Ave. with 100 ft storage and transition per AASHTO standards.
2. Prior to the issuance of any use and occupancy permits, stripe a dedicated westbound left turn lane within existing continuous 2-way center turn lane on OHB at intersection with Zermatt. This turn lane shall have 100 ft of dedicated storage.
3. Prior to the issuance of any use and occupancy permits, Zermatt Ave. shall be widened and striped to provide 1 entering lane and 2 exiting lanes. The left turn lane shall have a minimum 150 ft storage length and transition per AASHTO standards. The right turn lane shall be continuous with the approach lane.
4. Prior to the recording of a final plat a bond shall be posted for a possible traffic signal to be installed at the intersection of OHB and Zermatt. The developer is to conduct traffic counts and signal warrant analysis at Zermatt and OHB after the 51st use and occupancy permit and submit to the Metro traffic engineer for approval. If warrants are not met for signal installation, counts and analysis shall be repeated annually or until the project is completed which ever occurs first. When, or if, signal warrants are met, the developer shall submit signal plans to the Metro Traffic Engineer for approval and install the signal.

At the Nolensville Road and Swiss Ave intersection



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1. Prior to the issuance of a use and occupancy permit for the 51st unit, construct a right turn lane with 75 ft of storage and transition per AASHTO southbound on Nolensville Road at Swiss Ave.

2. Prior to the establishment of a plat for the 51st unit the developer is to post a bond and conduct traffic counts and signal warrant analysis at the intersection of Swiss Ave. and Nolensville Road for a possible signal and submit to the Metro traffic engineer for approval. The bond shall remain in place for three years thereafter. If the applicant and Public Works agree that the signal is not warranted after three years time period, the bond may be released and the developer will be relieved of any obligation to install the signal. If warrants are met for the signal installation during the three year period, the developer shall submit signal plans to the Metro Traffic Engineer for approval and install the signal.

All construction plans must be approved by Metro Public Works prior to construction.

CONDITIONS

1. As required by the Metro Traffic Engineer and the Traffic Impact Study, the conditions listed above under the Public Works conditions shall be required.
2. Prior to the recording of a final plat for any phase, (a) Public Works' approval is subject to Public Works review and approval of construction plans for this subject, (b) if using minimum required ROW, then add a 3-foot public pedestrian access easement on the outside edge of sidewalks, (c) handicap ramps should be in the turning radius, (d) will need dead-end sign and street name signs.
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.



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4. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
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 Metro Council 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 and possibly the Metro Council.



**Project No.
Project Name**

**Planned Unit Development 91P-010U-09
Tennyson Business Machines Commercial
PUD**

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

None
None
17 - Greer
7 - Kindall
Elite Homes, LLC, applicant and purchaser, for Chris
Espander & Alison Rohr, owners.

**Staff Reviewer
Staff Recommendation**

Mitchell
Approve

**APPLICANT REQUEST
Cancel PUD**

**Request to cancel an undeveloped commercial
Planned Unit Development that was adopted by
Metro Council on May 5, 1992, and allowed for the
development of a 13,200-square foot office and
storage/warehouse facility. The property is located
along the north side of Wedgewood Avenue, east of
8th Avenue South, and west of Interstate 65.**

**METRO PUBLIC WORKS'
RECOMMENDATION**

No exception taken.

COMMENTS

History

On April 1, 1999, the Metro Planning Commission approved a request to cancel this PUD overlay. The request was filed with Metro Council (BL99-1727), but was never approved.

Zoning

Since this PUD plan was never developed, there is no concern with existing uses being inconsistent with the base zone districts of ORI and CS. If the PUD is successfully cancelled, the site could be developed in accordance with those zone districts.

Access

There are no access issues with this PUD plan being cancelled. All access points are via existing rights-of-way. The cancellation of the PUD will not preclude access to any adjacent sites.



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

Planned Unit Development 94P-020G-03
FedEx Package Dist. Commercial PUD
None
None
3 - Hughes
1 - Thompson
GBC Design, Inc., applicant, for FedEx Ground
Package Systems, Inc., owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions

APPLICANT REQUEST
Revise Preliminary & Final PUD

Request for revision to preliminary and for final Planned Unit Development approval for a portion of the FedEx distribution commercial PUD (formerly Roadway Package) to allow for the expansion of the facility by 22,683 square feet, where 230,000 square feet of floor area are permitted and only 215,000 square feet has been constructed. The property is located along the north side of Briley Parkway and east of Knight Drive.

PLAN DETAILS

The proposed revision and final plan add 22,683 square feet of commercial distribution space to the existing facility. The PUD was originally adopted by Metro Council in 1994, and allowed for the development of 230,000 square feet of warehouse & distribution for the Roadway Package Corporation. Since that date, FedEx has purchased the site and wants to update and slightly expand the facility. Adding 22,683 square feet of floor area does not trigger an amendment before Metro Council because only 215,000 square feet of floor area has been completed to date.

The Metro Code allows for an existing commercial PUD to develop up to 10% over the last Council-approved gross floor area. The last Council-approved gross floor area is 230,000 square feet. Ten percent over that number would allow a total of 253,000 square feet without having to seek an amendment before Council. Therefore, since the additional 22,683 square feet bring the total floor area to 237,683 square feet, an amendment to the PUD is not required at this time.



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METRO PUBLIC WORKS' RECOMMENDATION

In 1994, a Traffic Impact Study (TIS) reviewed two phases of development/utilization of this facility. Phase 1 was based on 300 linehaul trips, where phase 2 was based on 700 linehaul trips. The second phase implementation is occurring approximately 5 years prior to the forecasted 2010 completion date. Therefore, all previous roadway mitigations as identified in the TIS must be constructed.

Approve with the following conditions for phase 2 construction:

1. Construct a separate northbound right turn lane on Knight Drive at Ewing Drive with 350 feet of storage and transition per AASHTO standards.
2. Construct separate left and right turn lanes on Ewing Drive at Knight Drive with 100 feet of right turn storage and transition per AASHTO standards.
3. Verify adequate sight distance at existing access road at Knight Drive.
4. Dedicate 5 feet of ROW along Knight Drive frontage. Reserve an additional 6 feet of ROW for non-residential collector.

CONDITIONS

1. Prior to the issuance of any building permits, all conditions provided by Metro Public Works must be completed or appropriately bonded.
2. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
3. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.



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4. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
5. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



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

Planned Unit Development 98P-007U-12
Seven Springs PUD (St. Martin’s Square)
BL2004-219 – approved May 18, 2004
None
31 - Toler
2 - Blue
Barge Cauthen & Associates, Inc., applicant, for
Vastland Development Partnership, owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions

APPLICANT REQUEST
Final PUD

Request for final PUD approval for the Seven Springs Planned Unit Development to allow for the development of 144 condominiums in two buildings. The property is located along the north side of Old Hickory Boulevard, directly across from the terminus of Cloverland Drive.

ZONING
OR40

The OR40 (Office/Residential) zoning district is intended for office and/or multi-family residential units at up to 40 dwelling units per acre. This development proposes a density of 17 condominiums per acre – which is well below the maximum of 40 unit per acre.

PLAN DETAILS

The plan includes two buildings, each containing 72 units and four stories in height. The total floor area proposed for both buildings is 344,000 square feet. The amendment to the PUD – which was approved by Metro Council on May 18, 2004 – was required because the proposed 4-story height exceeded the height controls established by the previous Council-approved plan, which set maximum heights along the eastern property line at specified setbacks for the independent and assisted living facilities.

The original Council-approved plan established that, along the eastern property line, a 3-story building could be constructed at the 150-foot setback line and a 4-story building could be built at the 200-foot setback line. The recently amended preliminary plan was approved to place both buildings 135 feet from the east property line. This Final PUD plan is consistent with the



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amended preliminary PUD plan. All other supplemental conditions added as part of the Council-approved plan have been carried over to this plan – such as the additional screening and buffering required along the east property line adjacent to the Hearthstone subdivision.

METRO PUBLIC WORKS' COMMENTS

No exception taken.

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-046U-13
Wildview Drive Easement Acquisition
None
16 - McClendon
Metro Water & Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 734 Wildview Drive and 906 Drummond Drive, Metro Water Services Project No. 03-D-376, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Nashville Electric Service, and the Emergency Communication Center. Planning staff also supports the request.



Project No.
Project Name
Council Bill
Council District
Requested by

Mandatory Referral 2004M-047U-10
Cross Creek Easement Acquisition
None
34 – Williams
Metro Water & Sewerage Services

Staff Reviewer
Staff Recommendation

Harris
Approve

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 3932 Cross Creek Road, Metro Water Services Project No. 03-D-0356, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Nashville Electric Service, and the Emergency Communication Center. Planning staff also supports the request.



Project No.	Mandatory Referral 2004M-048U-02
Project Name	Robwood Drive Easement Acquisition
Council Bill	None
Council District	3 – Hughes
Requested by	Metro Water & Sewerage Services
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 3188 Robwood Drive, Metro Water Services Project No. 02-D-192, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Nashville Electric Service, and the Emergency Communication Center. Planning staff also supports the request.



Project No.	Mandatory Referral 2004M-049G-04
Project Name	Heritage Court Easement Acquisition
Council Bill	None
Council District	4 – Craddock
Requested by	Metro Water & Sewerage Services
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 311 Heritage Court, Metro Water Services Project No. 03-D-368, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Nashville Electric Service, and the Emergency Communication Center. Planning staff also supports the request.



Project No.	Mandatory Referral 2004M-051G-06
Project Name	Morton Mill Easement Acquisition
Council Bill	None
Council District	35 – Tygard
Requested by	Metro Water & Sewerage Services
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for easement acquisition for Stormwater construction of drainage system at 925 Morton Mill Road, Metro Water Services Project No. 03-D-0499, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department, Nashville Electric Services, and the Emergency Communication Center. Planning staff also supports the request.



Project No.	Mandatory Referral 2004M-052G-10
Project Name	Sherwood Drive Easement Abandonment
Council Bill	None
Council District	34 – Williams
Requested by	Metro Water & Sewerage Services
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

A request for easement abandonment for a Public Utility Drainage Easement at Sherwood Drive (unnumbered), 6000 Sherwood Drive, and 6001 Sherwood Drive, Metro Water Services Project No. 04-DG-88, requested by Metro Water and Sewerage Services.

APPLICATION REQUIREMENTS

None

DEPARTMENT AND AGENCY RECOMMENDATIONS

This item is recommended for approval by the Metro Water & Sewerage Services Department and the Emergency Communication Center.

The Nashville Electric Service recommends conditional approval with a condition that NES retain any and all easements.

Planning staff supports this request.



Project No.
Project Name

Mandatory Referral 2004M-054U-13
Aerial encroachment: Fiber optic cable
along Harding Industrial Drive

Council Bill
Council District
Requested By

None
28 - Alexander
Clopay Plastic Products Company, applicant

Staff Reviewer
Staff Recommendation

Reed
Approve

APPLICANT REQUEST

A request for an aerial encroachment for a fiber optic line running approximately 1,650 feet in the R.O.W. of Harding Industrial Drive, northwest of Harding Place by Clopay Plastic Products Company, Inc., applicant.

The length of cable would connect the main building at 493 Harding Industrial to the second building at 555 Harding Industrial using existing NES poles.

DEPARTMENT AND AGENCY COMMENTS

No responding departments or agencies take exception.

RECOMMENDATION

The following departments or agencies have reviewed this request and recommended approval: Metro Historical Commission, Water Services, and Emergency Communications Center.



**Project No.
Project Name**

**Mandatory Referral 2004M-055U-11
Alley closure/Hart Street and 1st Avenue
South (Alley #688)**

**Council Bill
Council District
Requested By**

None
17 - Greer
Donnel Wordlaw and Morning Star Baptist Church,
applicants

**Staff Reviewer
Staff Recommendation**

Reed
Approve with a condition

APPLICANT REQUEST

A request to close alley #688 west of 1st Avenue South, south of Hart Street by Donnel Wordlaw and Morning Star Baptist Church, applicants.

Affected properties are zoned R6 and are located in the RM (residential medium) policy area of the Subarea 11 Plan. This will not result in the creation of any landlocked parcels or limit access. All existing adjacent properties will continue to have public access.

DEPARTMENT AND AGENCY COMMENTS

There is an existing 8” water line in the alley that Water services wants protected by an easement. No other responding departments or agencies take exception.

RECOMMENDATION

Approve with the following condition:

1) Easement rights will be retained for the existing 8” water line in Alley #688.

The following departments or agencies have reviewed this request and recommended approval: Metro Water Services, and Emergency Communications Center.